

# **CROSSOVER BILLS**

## **(Bills Which Passed Third Reading)**

HAWAII STATE LEGISLATURE

REGULAR SESSION OF 2000

SHOWING ACTIONS TAKEN AS OF

March 9, 2000

Prepared by the:

**LEGISLATIVE REFERENCE BUREAU SYSTEMS OFFICE**

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*Caveat: While all data are believed accurate, they are subject to change pending confirmation against official records kept by the respective Chief Clerk's offices.*

## **FOREWORD**

We are pleased to provide you with a publication which includes all bills in the current legislature which passed Third Reading as of March 9, 2000. This publication has been created by the Legislative Reference Bureau - Systems Office.

The publication includes such data as the bill number, title, introducer, description, and current status of the bill. The publication reflects data recorded up to and including March 9, 2000.

Wendell K. Kimura  
Acting Director  
Legislative Reference Bureau

March 2000

## SENATE BILLS WHICH PASSED THIRD READING

SB0004 SD2 HD2 (HSCR 1833)

RELATING TO GOVERNMENT ADMINISTRATION. Senator Tam (586-6450)  
Amends provisions relating to collective bargaining in public employment to include the senate president, the speaker of the house, council chairpersons, or their designated representatives, in negotiations, mediation, and arbitration of cost items. Prohibits wage increases to be authorized by the public employer without prior agreement with the majority of the legislators and council chairpersons, or their representatives. -- SB0004 HD2  
Apr=15 99 Senate Disagrees to House amendments  
Apr-19 99 Conference Committee: House Members: Takamine D, Yoshinaga T, Kanoho E -- Moses M, Nakasone B, Suzuki N  
Apr=19 99 Conference Committee: Senate Members: Tam R, Levin A, Fukunaga C -- Anderson W, Nakata B

SB0013

RELATING TO PROCESS SERVERS. Senator Tanaka (586-7110)  
Amends provisions relating to fees for sheriff's, police officer's and process servers within the rules of the district court. Amends provisions relating to mileage charges for service. Amends provisions relating to service on islands other than where the process originated. -- Amends provisions relating to fees for sheriff, serving or levying officer, or process server in the rules of circuit court, the intermediate appellate court or supreme court. -- SB0013  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to JHA then FIN (586-8480)

SB0017 SD2 (SSCR 743)

RELATING TO TAXATION. Senator Inouye (586-7335)  
Provides that the counties shall be reimbursed for amounts of general excise taxes passed on to them by general excise tax licensees and paid by the county. Requires the counties to submit an itemized claim to the director of finance. Provides that the reimbursement for the fiscal years 1999 - 2000 and 2000 - 2001 shall be 50 per cent of the total itemized claim and for fiscal years 2001 - 2002 to 2004 - 2005 shall be 100 per cent of the total itemized claim (sunset). -- SB0017 SD2  
Mar-11 99 Introduction/Passed First Reading - House  
Mar-11 99 Single Referral to FIN (586-6200)

SB0020 SD1 HD2 (HSCR 1764)

RELATING TO REAL ESTATE BROKERS AND SALESPERSONS. Senator Taniguchi (586-6460)  
Amends provisions relating to real estate brokers and salespersons by requiring principal brokers to have direct management and supervision of the brokerage firm and its real estate licensees. Authorizes the real estate commission to set requirements for continuing education courses, providers, and instructors, determine whether requirements have been met, specify mandatory core course or courses or equivalencies, assigning the number of continuing education hours to those courses, and develop its own continuing education courses or approve courses developed elsewhere, and allow alternative delivery methods with interactive instructional techniques. Requires continuing education providers to certify that instructors have met the requirements, are competent and current in their knowledge, and ensure that the course is based on current information, laws, and rules. Provides that the courses shall be designed to improve a licensee's competency, or professional standards and practice. Requires the department of commerce and consumer affairs, in consultation with the Hawaii Association of Realtors, to initiate a work study group during the legislative interim to discuss continuing education and administration issues with other interested parties. Report to the legislature. -- SB0020 HD2  
Apr=15 99 Senate Disagrees to House amendments  
Apr-19 99 Conference Committee: House Members: Menor R, Suzuki N -- Cachola R, Fox G, Nakasone B

## SENATE BILLS WHICH PASSED THIRD READING

SB0030 SD2 HD1 (HSCR 1342)

RELATING TO ENDANGERED SPECIES. Senator Levin (586-6760)

Allows the department of land and natural resources to annually issue an endangered species ornamental stamp, which shall not be intended to serve as a postage stamp. Allows the board to require the purchase of the stamp as a requirement for obtaining permit, license, or other products issued by the department. Provides that endangered species ornamental stamp shall be selected by the board from entries of endangered species art contest, direct commissioning, or acceptance of donated works. Requires the price for the endangered species ornamental stamp to be set by the board and authorizes the sales and processing fees be retained by vendors or sales agents for selling the stamp. Allows the board to enter into cooperative agreements with individuals or businesses to establish mutually beneficial sales and marketing programs. Requires proceeds from the stamps or art work products to be deposited into the endangered species trust fund. -- SB0030 HD1

Mar-25 99 Passed Second Reading House as amended (HD1)

Mar-25 99 Referred to FIN (586-6200)

SB0032

RELATING TO INCOME TAX. Senator Levin (586-6760)

Provides that subchapter N, section 911 (with respect to income of citizens or residents of the US living abroad) of the Federal Internal Revenue Code shall be operative for state income tax purposes. Provides an income tax deduction for income earned and received by a resident from out of state sources up to the limits allowed under section 911 of the Federal Internal Revenue Code for exclusion of foreign income. -- SB0032

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Single Referral to FIN (586-6200)

SB0033 SD1 (SSCR 694)

RELATING TO CONSERVATION LICENSE PLATES. Senator Levin (586-6760)

Amends provision relating to special land and development fund to add moneys collected from the sale of any article purchased from the department of land and natural resources, moneys accrued from the sale of conservation license plates, and grants and private contributions for the management and recovery of Hawaii's unique plants and animals and youth conservation programs. Allows counties director of finance to provide, upon request, conservation license plates for their respective counties. Prohibits transfer of conservation license plates. Appropriation. (\$\$) -- SB0033 SD1

Mar-11 99 Introduction/Passed First Reading - House

Mar-15 99 Multiple Re referral to TRN/ EEP/ then FIN (586-6180)

SB0035

MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR THE HAWAII FORESTRY AND COMMUNITIES INITIATIVE. Senator Inouye (586-7335)

Appropriation to the department of land and natural resources for the Hawaii forestry and community initiative, provided that no funds be made available under this Act unless the department matches federal funds dollar for dollar. (\$\$) -- SB0035

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to WLU then FIN (586-6110)

## SENATE BILLS WHICH PASSED THIRD READING

- SB0041 SD1 HD1 (HSCR 1141) RELATING TO TEACHERS. Senate President Mizuguchi (586-6870)  
Repeals the sunset date for the provisions which allows the department of education to issue a license or credential to a teacher who is not required to obtain a license or a credential from the teacher standards board. Provides that the initial term of the members of the board appointed by the governor after June 30, 2000, shall be staggered. -- Amends Act 122, session laws of 1996, by repealing the sunset date of the teacher standards board. -- SB0041 HD1  
Mar-18 99 Passed Second Reading House as amended (HD1)  
Mar-25 99 Referred to FIN (586-6200)
- SB0042 SD1 (SSCR 184) RELATING TO PUBLIC LAND LIABILITY IMMUNITY. Senator Chun (586-7344)  
Amends Act 190, session laws of 1996, relating to public land liability immunity, by extending the sunset date to June 30, 2001. Requires the task force on beach and water safety to annually report to the legislature. -- SB0042 SD1  
Mar-11 99 Introduction/Passed First Reading - House  
Mar-11 99 Single Referral to JHA (586-8480)
- SB0043 SD1 HD1 (HSCR 1250) RELATING TO THE UNIVERSITY OF HAWAII. Senate President Mizuguchi (586-6870)  
Establishes an international advisory board placed in the university of Hawaii to advise the board of regents of the university of Hawaii on improving the strategic position of the university of Hawaii in the Pacific rim. -- SB0043 HD1  
Mar-24 99 Passed Second Reading House as amended (HD1)  
Mar-24 99 Referred to FIN (586-6200)
- SB0047 SD1 HD1 (HSCR 1261) RELATING TO TAXATION. Senate President Mizuguchi (586-6870)  
Provides that where a health plan provider receives gross proceeds or gross income that is taxable under general excise tax provisions that is received from a health care plan or from another health plan provider, and all or part of which is paid to a Hawaii health care provider or to another health plan provider under a health care plan, the health plan provider shall deduct an amount equal to the payment to the Hawaii health care provider. -- Also provides general excise tax and use tax exemptions for amounts received from the sale or use of prescription drugs or prosthetic devices to or by a health care facility and amount received from the sale of or use of tangible personal property to or by a health care facility. -- SB0047 HD1  
Mar-24 99 Passed Second Reading House as amended (HD1)  
Mar-24 99 Referred to FIN (586-6200)
- SB0059 SD1 HD1 (HSCR 1137) RELATING TO PUBLIC CONTRACTS. Senator Buen (586-7340)  
Amends provisions relating to contract retainage. Provides that the retainage amount withheld by a contractor from a subcontractor, or subcontractor to other subcontractors, shall not exceed 5 per cent of the subcontractor's contract price. -- SB0059 HD1  
Apr=09 99 Senate Disagrees to House amendments  
Apr=19 99 Conference Committee: Senate Members: Tam R -- Anderson W, Hanabusa C  
Apr-22 99 Conference Committee: House Members: Herkes R, Takamine D -- Marumoto B, Nakasone B, Suzuki N, Yoshinaga T

## SENATE BILLS WHICH PASSED THIRD READING

- SB0096 SD1 HD1 (HSCR 1338) RELATING TO ENERGY RESOURCES. Senator Levin (586-6760)  
Amends provision relating to placement of a solar energy devices. Provides that no person shall be prevented by condominium property regime declaration or bylaws of an association of apartment owners from installing and siting a solar energy device for optimal device performance. Includes that a townhouse roof may be a common element within a condominium property regime. Redefines townhouse as a series of individual houses having architectural unity with each unit separated by a common wall and extending from the ground to the roof. -- SB0096 HD1  
Mar-25 99 Passed Second Reading House as amended (HD1)  
Mar-25 99 Referred to CPC (586-6150)
- SB0105 SD1 HD1 (HSCR 1359) RELATING TO REFORM OF STATE GOVERNMENT. Senator Tam (586-6450)  
Requires certain legislative subject matter committees to collaborate with counterparts from all county councils, together with representatives from respective state and county operations, to help achieve the purposes of Act 223, session laws of 1998, relating to duplication of governmental services. Provides that cost savings and efficiencies should be determined. Requires all house and senate legislative subject matter committees to participate in reforming governmental operations by collaborating with respective state agencies to identify 3 areas conducive for significant productivity improvement and selecting at least 1 for interim activity. Report to the legislature. Appropriation to the speaker of the house and the president of the senate. (\$\$) -- SB0105 HD1  
Mar-25 99 Passed Second Reading House as amended (HD1)  
Mar-25 99 Referred to FIN (586-6200)
- SB0106 SD2 (SSCR 724) RELATING TO GOVERNMENT SERVICES. Senator Tam (586-6450)  
Amends Act 343, session laws of 1997, establishing the school to work based learning program by requiring the opportunities executive council to establish a mission statement, control over expenditures, and proper implementation. Report to the legislature. -- SB0106 SD2  
Mar-11 99 Introduction/Passed First Reading - House  
Mar-11 99 Multiple Referral to EDN then FIN (586-8470)
- SB0112 SD1 (FLOOR AMENDMENT 13) RELATING TO CONDOMINIUM PROPERTY REGIMES. Senator Chumbley (586-6030)  
Establishes provision relating to condominium property regimes to require mortgage holders, court appointed receivers, or commissioners to pay to the association of apartment owners the current common expenses chargeable to the apartment, if they collect rent on any apartment which is in foreclosure. Provides criteria. -- Amends provision relating to the real estate commission. Provides that at least 2 of the 11 members shall be apartment owners of units in condominium property regimes who represent the interests of condominium governance organizations. -- Amends provision relating to the management of the condominium management education fund. Requires moneys be exclusively used to carry out the commission's responsibilities. -- SB0112 SD1  
Mar-12 99 Introduction/Passed First Reading - House  
Mar-12 99 Multiple Referral to CPC then FIN (586-6150)

## SENATE BILLS WHICH PASSED THIRD READING

SB0119 SD2 (SSCR 669)

RELATING TO SCHOOL REPAIRS, MAINTENANCE, AND IMPROVEMENTS. Senator Chumbley (586-6030)

Changes the school level minor repairs and maintenance accounts to include improvements. Increase the amount per school allowed in school level minor repairs, maintenance, and improvements accounts to 20,000 dollars. Provides that unencumbered funds shall not lapse to the general fund. Allows the principals to request the department of accounting and general services to perform services and transfer moneys to the department. Provides that expenditures from these accounts be exempt from the procurement code. Annual report to the legislature by the department of expenditures and transfers made by the schools and the department, By departmental school districts. -- SB0119 SD2

Mar-25 99 Passed Second Reading House

Mar-25 99 Referred to FIN (586-6200)

SB0134 SD1 HD1 (HSCR 1361)

RELATING TO SUBSTANCE ABUSE. Senator Chun Oakland (586-6130)

Amends mental health, alcohol, drug abuse treatment provisions by adding that a certified substance abuse staff to include physicians who are board certified in addiction psychiatry. -- SB0134 HD1

Mar-25 99 Passed Second Reading House as amended (HD1)

Mar-25 99 Referred to CPC (586-6150)

SB0143 SD1 (SSCR 558)

RELATING TO UTILITY TRANSMISSION LINES. Senator Chun Oakland (BR) (586-6130)

Provides that the public utilities (commission) shall not authorize the placement, construction, erection, or building of any 46 kilovolts or greater high voltage electric transmission system in a residentially zoned area or within 300 feet of any public or private school grounds or any licensed child care facility, unless placed underground and insulated against electro magnetic field emissions. -- SB0143 SD1

Mar-09 99 Introduction/Passed First Reading - House

Mar-16 99 Multiple Re referral to EDB then CPC then FIN (586-6530)

SB0145 SD2 (SSCR 618)

RELATING TO ANATOMICAL GIFTS. Senator Chun Oakland (586-6130)

Repeals and replaces provisions relating to procedures for obtaining organ donation. Requires an acute care hospital to contact an organ, tissue, or eye recovery agency on or before the occurrence of a patient's death. Contact to be noted on the patient's medical records. Provides that each acute care hospital shall develop a protocol for identifying potential organ, and tissue donors, within 1 year of the effective date of this Act. Requires the procurement organization, in consultation with the patient's attending physician or designee, to determine the suitability for donation. Requires the procurement organization to conduct an annual death record review at each acute care hospital to determine the hospital's compliance to these provisions. -- Establishes the Hawaii organ and tissue education special fund to be administered by the department of health for educational purposes to promote organ, tissue, and eye donation programs. Provides that the funds be distributed to the Organ Donor Center of Hawaii which 30 per cent shall go to the minority organ tissue transplant education program, 20 per cent shall go to Hawaii's federally designated procurement organization for the development of education programs, and 50 per cent shall go to Hawaii's coalition of organ donation agencies for public education programs and activities. -- Requires the county directors of finance to collect a voluntary 1 dollar from driver's license application or renewal to be deposited into the special fund. -- Provides that a person, hospital, or organization that relies on a document of gift and acts in good faith shall not be subject to criminal or civil liability for any action taken within the requirements of these provisions. -- Requires the examiner of drivers to adopt rules to allow an appropriate organ, tissue, and eye recovery agency or procurement organization

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to a 24 hour telephone access to the driver's license database information for the purpose of determining a driver's willingness to be an organ don2

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Multiple Referral to HLT then CPC/ JHA/ then FIN (586-6380)

SB0155 SD2 (SSCR 879)

RELATING TO MOTOR VEHICLES. Senator Chun Oakland (586-6130)

Prohibits licenses issued or renewed to include within its design a notation of the applicant's social security number. Requires the director of transportation to adopt rules and procedures including an appropriate license design that assigns a unique identification number. Requires an application for driver's license or instruction permit to state the applicants social security number. Repeals social security number from a commercial driver's license. -- SB0155 SD2

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Multiple Referral to TRN then JHA then FIN (586-6180)

SB0157 SD1 HD2 (HSCR 1817)

MAKING AN APPROPRIATION TO PROVIDE PREVENTIVE DENTAL SERVICES TO ADULTS. Senator Chun Oakland (586-6130)

Appropriation to the department of human services and the department of health to provide preventive dental services for adults covered by Medicaid and MedQuest on a fee for service basis through the MedQuest program, the department of health, and community health centers, provided that no other dental specialties or services other than preventive dentistry be covered. Requires the department of human services to consult with the department of health as to which dental services constitute preventive dentistry. (\$\$) -- SB0157 HD2

Apr=15 99 Senate Disagrees to House amendments

Apr-19 99 Conference Committee: House Members: Arakaki D, Santiago A, Kawakami B -- Kahikina M, Pendleton D

Apr=19 99 Conference Committee: Senate Members: Chun Oakland S, Fukunaga C, Levin A -- Anderson W, Chun J

SB0162 SD1 (SSCR 13)

RELATING TO CHILD PASSENGER SAFETY. Senator Kawamoto (586-6970)

Amends child passenger restraint provisions (car seat) by repealing the provision that allows the option for a child between 3 years of age and 4 years of age to be restrained by a seat belt assembly and requires any child under 4 years of age to be restrained by a child passenger restraint system. -- SB0162 SD1

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Multiple Referral to TRN then JHA (586-6180)

SB0166 SD2 (SSCR 872)

RELATING TO THE DISTRIBUTION OF SAMPLE TOBACCO PRODUCTS AND TOBACCO PROMOTIONAL MATERIALS. Senator Chun Oakland (586-6130)

Amends smoking law to prohibit any person from engaging in the distribution of samples of cigarettes or tobacco products or promotional materials in or on any public street, sidewalk, or park, or within 1000 feet of any elementary, intermediate, or high school during regular school hours. Defines to distribute to mean to pass out to members of the general public free of charge for the exclusive purpose of promoting a product. -- SB0166 SD2

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Multiple Referral to HLT then FIN (586-6380)



## SENATE BILLS WHICH PASSED THIRD READING

SB0172 SD1 HD1 (HSCR 1395)

MAKING AN APPROPRIATION FOR THE CHILDREN'S HEALTH INSURANCE PROGRAM. Senator Chun Oakland (586-6130)

Appropriation to the department of human services for the children's health insurance program for children through age 18 from families with income at or below 200 per cent of the federal poverty level, provided that the federal government provides 65 per cent matching funds and that general funds be used for the children's health insurance program if the tobacco agreement special fund cannot be used. (\$\$) -- SB0172 HD1

Mar-25 99 Passed Second Reading House as amended (HD1)

Mar-25 99 Referred to FIN (586-6200)

SB0175 SD3 HD1 (HSCR 1211)

MAKING AN APPROPRIATION FOR THE PROTECTION OF CHILDREN AND FAMILIES. Senator Chun Oakland (586-6130)

Authorizes the department of health to establish and fill 1 and 1/2 full time equivalent (1.5 FTE) permanent professional positions exempt from civil service and compensation laws to assure continuous implementation of the child death review teams. Authorizes the department of the attorney general to establish and fill 3 (3.0 FTE) permanent deputy attorney general positions exempt from civil service and compensation laws for the family law division, provided that the department of human services shall annually reimburse, from federal funds, the department of the attorney general 60,000 dollars or 33 1/3 per cent of the total appropriation. Authorizes the department of human services to establish and fill 1/2 (0.5 FTE) permanent physician positions exempt from civil service and compensation laws for ongoing consultation and forensic review of cases to prevent further child abuse and neglect. -- Appropriation to the department of health to fill 11 public health nursing positions for the implementation of the medical health case management system, for the Hawaii children's trust fund, for the healthy start program for services for families identified as at risk, to provide substance abuse treatment services for pregnant and parenting women and their families, and to increase the capacity of the parent line and home reach services, to increase the capacity of the keiki family interactive mobile units. -- Appropriation to the department of human services to provide substance abuse treatment services for pregnant and parenting women and their families, for staffing and services for the neighborhood places, for foster parent training, and to increase foster board payments for children with special needs, to the child care facilities grant fund, for coordination and implementation of the good beginnings alliance initiative (provided funds are matched by private sources), and to provide financial assistance in attaining a child development associate credential. -- Appropriation to the counties to increase child care subsidies, pay administrative expenses and to provide parent workshops to recipients of child care subsidies, and to expand and continue the accreditation mentor project for early childhood programs. -- Appropriation to the department of education for the expansion of families for REAL to 4 additional school sites, and for child care for parenting teens. (\$\$) -- SB0175 HD1

Mar-22 99 Passed Second Reading House as amended (HD1)

Mar-22 99 Referred to JHA (586-8480)

## SENATE BILLS WHICH PASSED THIRD READING

SB0176 HD2 (HSCR 1703)

RELATING TO CHILDREN. Senator Chun Oakland (586-6130)

Establishes provisions relating to the offense of child abuse in the 1st and 2nd degree. Provides that a person who intentionally or knowingly causes serious bodily injury to a minor 10 years of age or younger commits the offense of child abuse in the 1st degree, and if the person causes substantial bodily injury the offense shall be child abuse in the 2nd degree. Establishes child abuse in the 1st degree as a class A felony and in the 2nd degree as a class B felony. -- Amends provisions relating to use of force by persons with special responsibility for care, discipline, or safety of others. Provides that the condition of a minor is a factor when force is employed in the general care and supervision. -- Amends provisions relating to the criteria for extended terms of imprisonment to include a defendant who commits the offense of child abuse in the 1st or 2nd degree. -- SB0176 HD2

Apr=15 99 Senate Disagrees to House amendments

Apr-19 99 Conference Committee: House Members: Arakaki D, Oshiro P -- Kahikina M, Lee M, Whalen P

Apr=19 99 Conference Committee: Senate Members: Chun Oakland S, Chumbley A, Matsunaga M -- Anderson W

SB0178 HD1 (HSCR 1767)

MAKING AN APPROPRIATION FOR HEALTHY START. Senator Chun Oakland (586-6130)

Appropriation to the department of health for the operating expenses of Healthy Start. (\$\$) -- SB0178 HD1

Apr=15 99 Senate Disagrees to House amendments

Apr-19 99 Conference Committee: House Members: Santiago A, Kawakami B -- Arakaki D, Kahikina M, Pendleton D

Apr=19 99 Conference Committee: Senate Members: Chun Oakland S, Fukunaga C, Levin A -- Anderson W, Buen J, Chun J

SB0180 SD2 (SSCR 619)

MAKING AN APPROPRIATION FOR SUBSTANCE ABUSE PREVENTION AND TREATMENT SERVICES. Senator Chun Oakland (586-6130)

Appropriation to the department of health to provide substance abuse prevention and treatment services. (\$\$) -- SB0180 SD2

Mar-24 99 Passed Second Reading House

Mar-24 99 Referred to FIN (586-6200)

SB0185 SD2 (SSCR 608)

RELATING TO EDUCATION. Senator Chun Oakland (586-6130)

Establishes the Hawaii state student council within the department of education.

Requires the council to consist of a representative from each departmental school district. Requires the council to either select or run an election for the student member of the board of education. Requires the council to provide for an annual conference of secondary school students to identify, discuss, and arrive at recommended solutions to major youth problems, with emphasis on school problems that require the attention of and joint action by the students, the department, the board of education, and the legislature. Report to governor, legislature, and board. Repeals secondary school students conference provisions. -- SB0185 SD2

Mar-25 99 Passed Second Reading House

Mar-25 99 Referred to FIN (586-6200)

## SENATE BILLS WHICH PASSED THIRD READING

- SB0194 SD2 HD2 (HSCR 1774) RELATING TO INCOME TAXATION. Senate President Mizuguchi (586-6870)  
Repeals the provision which provides that section 213 (with respect to medical and dental expenses) of the Federal Internal Revenue Code shall be operative and that long term care premiums shall not be operative for state income tax purposes. -- SB0194 HD2  
Apr=15 99 Senate Disagrees to House amendments  
Apr-19 99 Conference Committee: House Members: Arakaki D, Santiago A, Menor R, Kawakami B -- Suzuki N, Whalen P  
Apr=19 99 Conference Committee: Senate Members: Taniguchi B, Kanno B, Fukunaga C, Levin A -- Anderson W
- SB0200 HD1 (HSCR 1172) RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR THE EWA VILLAGES COMMUNITY DEVELOPMENT CORPORATION. Senate President Mizuguchi (586-6870)  
Authorizes the issuance of special purpose revenue bonds to assist the Ewa Villages intergenerational care center for the development and construction of an intergenerational care center that will provide health care services to frail elderly persons, and medically fragile infants and children. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB0200 HD1  
Mar-22 99 Passed Second Reading House as amended (HD1)  
Mar-22 99 Referred to FIN (586-6200)
- SB0206 HD1 (HSCR 1407) RELATING TO WAGES AND COMPENSATION. Senator Nakata (586-7330)  
Amends provisions relating to the payment of wages and other compensation. Provides that any employer who fails to pay wages without equitable justification shall be liable to the employee, in addition to the wages legally proven to be due, for a sum equal to the amount of unpaid wages and interest at a rate of 6 per cent per year from the date that the wages were due. -- SB0206 HD1  
Mar-25 99 Passed Second Reading House as amended (HD1)  
Mar-25 99 Referred to FIN (586-6200)
- SB0211 SD1 HD1 (HSCR 1313) RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM. Senator Kanno (586-6830)  
Amends Act 339, session laws of 1990, as amended by Act 98, session laws of 1993, Act 275, session laws of 1994, and Act 327, session laws of 1997, relating to pensioners' bonuses, by extending the repeal date to June 30, 2001 (sunset). -- Appropriation to the department of budget and finance to extend the employees retirement system pensioners' bonus. -- SB0211 HD1  
Mar-25 99 Passed Second Reading House as amended (HD1)  
Mar-25 99 Referred to FIN (586-6200)
- SB0235 SD2 HD1 (HSCR 1418) RELATING TO EMPLOYEE PROTECTION UNDER THE WHISTLEBLOWER LAW.  
Senator Kanno (586-6830)  
Amends the whistleblowers' protection Act by prohibiting an employer to discharge, threaten, or otherwise discriminate against an employee solely because the person reports or is about to report to a public body a reasonable cause to believe that a violation or suspected violation of a law, rule, regulation, or ordinance designed to protect the interest of the public, is true. Allows a person who alleges a violation to bring civil action for appropriate injunctive relief, or actual damages, or both within 180 days after the occurrence of the alleged violation. Provides that the courts may order a stay of the alleged discrimination if the courts determine that there is a reasonable grounds to believe that a violation has occurred. Increases the maximum amount of fines per violation from 500 dollars to 10,000 dollars. -- Adds that exceptions to exclusiveness of right to compensation shall not apply to provisions favoring the

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employee with the most beneficial law in matters regarding discharges that are contrary to public policy. -- SB0235 HD1  
Mar-25 99 Passed Second Reading House as amended (HD1)  
Mar-25 99 Referred to JHA (586-8480)

SB0278 SD2 (SSCR 2421) RELATING TO HIGHER EDUCATION. Senator Ihara (BR) (586-6250)  
Increases the number of members of the board of directors of the research corporation of the university of Hawaii from 10 to 11 and changes the composition of the board. -- SB0278 SD2  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to HED then FIN (586-6330)

SB0364 SD2 (SSCR 2660) RELATING TO TAXATION. Senator Kanno (586-6830)  
Amends the general excise tax exemption for the gross income or gross proceeds of insurance companies authorized to do business under insurance provisions by providing that an insurance company includes a reciprocal insurer's attorneys in fact with respect to income derived from their business as attorney in fact for reciprocal insurance companies. -- SB0364 SD2  
Mar-09 00 Introduction/Passed First Reading - House

SB0366 SD1 HD1 (HSCR 1310) RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND. Senator Kanno (586-6830)  
Amends Act 309, session laws of 1996, relating to the public employees health fund, by requiring the director of finance to include representatives from state and county public employers, and public employee organizations on the committee established to develop and recommend a proposal to implement an employer union trust concept for determining and administering public employee and retiree health benefits. -- Requires the state and county public employers and the public employee organizations to appoint a co chair from among their respective committee members to lead the committee. Provides that the committee shall also include 1 retiree member of the public employees health fund, who shall be selected by the governor from a list submitted by the fund. Progress reports and final report to the legislature. Provides that the committee shall cease to exist on June 30, 2001 (sunset). -- SB0366 HD1  
Mar-25 99 Passed Second Reading House as amended (HD1)  
Mar-25 99 Referred to FIN (586-6200)

SB0368 SD1 (SSCR 583) RELATING TO RESIDENTIAL PROPERTY OCCUPANCY. Senator Tam (586-6450)  
Prohibits the director of health from issuing permits for medical waste incinerator or medical waste sterilizer that is located within 500 feet of any residential dwelling. -- SB0368 SD1  
Mar-11 99 Introduction/Passed First Reading - House  
Mar-11 99 Multiple Referral to EEP then HLT then CPC (586-8435)

SB0384 SD1 (SSCR 559) RELATING TO PUBLIC UTILITIES. Senator Ihara (BR) (586-6250)  
Provides that the public utilities (commission) shall not authorize the placement, construction, erection, or building of any 46 kilovolts or greater high voltage electric transmission system in a residentially zoned area, an area viewed by tourists, or an area important to the film industry, unless placed underground and insulated against electro magnetic field emissions. -- SB0384 SD1  
Mar-09 99 Introduction/Passed First Reading - House  
Mar-11 99 Multiple Referral to EDB then CPC then FIN (586-6530)

SB0425 SD3 HD2 (HSCR 1305) RELATING TO FEES. Senator Ihara (BR) (586-6250)  
Establishes that if a towing company is required to clean and clear the roadway through an agreement with the respective counties the company may charge up to 15 dollars for road clean up. Prohibits tow operators to assess charges other

## SENATE BILLS WHICH PASSED THIRD READING

than those explicitly authorized by law. Repeals the authority of agencies operating the after school (A +, A+, A plus) and weekends programs to establish reasonable fees and sets the fees to \_\_\_\_ per child. Allows the department of education to reduce the fees due to economic circumstances or for more than 1 child per family enrolled in the program. -- SB0425 HD2

Mar-22 99 Passed Second Reading House as amended (HD1)

Mar-25 99 Referred to FIN (586-6200)

SB0426 SD2 (SSCR 803)

RELATING TO FUNDS. Senator Ihara (BR) (586-6250)

Establishes the program for federal revenue maximization within the department of business, economic development, and tourism. Requires the program to be located in Washington, District of Columbia, and serve as a liaison between state and federal agencies. Requires the governor to appoint a director of the program without regard to civil service and compensation provisions. Provides that the purpose of the program is to secure federal funds for any applicable state program. Allows for the temporary transfer of personnel from other state agencies into the program for a maximum of 1 year. Annual report to the legislature. Requires the director to establish a grant writing team in the program. Amends federal aid law to establish provisions for the allocation of federal funds if they are earmarked for more than 1 agency. Also amends requirements of the annual report to the legislature by the comptroller to include federal funds. Amends Act 11, special session laws of 1995, by repealing the sunset date for the interagency federal revenue maximization revolving fund. Appropriation to the department of business, economic development, and tourism. (\$\$) -- SB0426 SD2

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Single Referral to FIN (586-6200)

SB0445 SD1 (SSCR 2761)

RELATING TO FUNDS. Senator Ihara (BR) (586-6250)

Establishes provision relating to sources and uses of fund. Requires the director of finance, on behalf of the Hawaii information network corporation, to submit the annual budgetary request for operating revenues to the legislature. Repeals revolving fund of the state risk management; the works of art special fund; the environmental response revolving fund; state education facilities improvement special fund; the irrigation system revolving fund; the industrial park special fund; the wildlife revolving fund; aina hoomalu special fund; and forest stewardship fund; the housing finance revolving fund; rental assistant revolving fund; housing alteration revolving loan fund; dwelling unit revolving fund; homes revolving fund; the Hawaii development revolving fund; the high technology special fund; convention center capital and operations special fund; Hawaii community based economic development revolving fund; Hawaii strategic development corporation revolving fund; natural energy laboratory of Hawaii authority special fund; the storeroom revolving fund under the department of education; the library special fund under the university of Hawaii; the conference center revolving fund under the university of Hawaii; the special fund of the Hawaii opportunity program in education (HOPE); the housing assistance revolving fund of the university of Hawaii; revolving fund of the university of Hawaii alumni; the special fund of the state aquarium; the state library special fund; the loan fund of the Hawaii registered nurse student; the facility administration fund of the department of health; the special funds of public health facility; the special fund of the mental health and substance abuse program; the environmental response revolving fund; the water pollution control revolving fund under the wastewater treatment works; the revolving funds for correctional facility stores; the correctional industries revolving fund; the fund of the special unemployment insurance administration; the state employment and training commissioner's education and training fund; the insurance examiners revolving fund; the condominium management education fund; the revolving fund for the statewide supreme court law library; and the criminal forfeiture

## SENATE BILLS WHICH PASSED THIRD READING

fund. Provides that all moneys and fees collected for various special and revolving funds shall be deposited to the credit of the general fund and be appropriated by the legislature. -- Requires all taxes derived from the sale of liquid fuel, sold or used for operating motor vehicles upon the public highways of the State, to be deposited into the state treasury to the credit of the state highway fund. -- SB0445 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to EEP then WLU then HED then EDN then EDB then FIN (586-8435)

SB0456 SD2 HD1 (HSCR 1816)

RELATING TO TUITION WAIVERS. Senate President Mizuguchi (BR) (586-6870)

Empowers the office of Hawaiian affairs to expend funds to pay the tuition of students who are native Hawaiian or Hawaiian attending the university of Hawaii, where those students fulfill criteria established by the board of trustees.

Allows the board of regents of the university of Hawaii to waive entirely or reduce the tuition fee or any other fees for students who are Hawaiian or native Hawaiian. -- SB0456 HD1

Apr=15 99 Senate Disagrees to House amendments

Apr-19 99 Conference Committee: House Members: Morihara D, Oshiro P, Kawakami B -- Kahikina M, Leong B

Apr=19 99 Conference Committee: Senate Members: Ige D, Hanabusa C, Fukunaga C, Levin A -- Chumbley A, Chun Oakland S, Slom S

SB0461 HD1 (HSCR 1128)

RELATING TO HAWAIIAN FISHPONDS. Senate President Mizuguchi (BR) (586-6870)

Authorizes the department of land and natural resources to convey fee simple interest on government owned fishponds to the office of Hawaiian affairs.

Provides that consideration for the conveyance shall be determined in negotiations between the parties. -- SB0461 HD1

Mar-17 99 Passed Second Reading House as amended (HD1)

Mar-17 99 Referred to JHA (586-8480)

SB0480

RELATING TO MEASUREMENT STANDARDS. Senator Inouye (586-7335)

Amends labeling requirements on consumer packages of raw or processed macadamia nuts grown in Hawaii to read Hawaii grown macadamia nuts, 100 per cent Hawaiian macadamia nuts, or Hawaiian macadamia nuts. -- SB0480

Mar-05 99 Introduction/Passed First Reading - House

Mar-11 99 Multiple Referral to AGR then CPC (586-6010)

SB0498 SD1 (SSCR 565)

RELATING TO PRESCRIPTIVE AUTHORITY FOR ADVANCED PRACTICE REGISTERED NURSES. Senator Levin (586-6760)

Amends provisions relating to prescriptive authority for advanced practice registered nurses. Provides that the state board of nursing shall grant prescriptive authority, and that an advisory committee shall be established by the department of commerce and consumer affairs to provide recommendations to the board on prescriptive authority issues, including controlled substances in schedule II to V of the uniform controlled substances Act. Repeals provisions requiring the board of medical examiners designate the applicable formularies and submit an interim report. -- SB0498 SD1

Mar-25 99 Passed Second Reading House

Mar-25 99 Referred to CPC (586-6150)

SB0511 SD1 (SSCR 709)

RELATING TO HEALTH CARE FACILITY PAYMENTS. Senator Kanno (586-6830)

Prohibits insurer under accident and sickness insurance, mutual benefit societies, or health maintenance organizations (HMOs) after receiving a claim for payment of benefits, to pay the indemnity or reimbursement directly to the

## SENATE BILLS WHICH PASSED THIRD READING

rural health care facility that provided the services regardless of the rural health care facility's participatory status with the insurer's plan. -- SB0511 SD1  
Mar-11 99 Introduction/Passed First Reading - House  
Mar-11 99 Multiple Referral to HLT then CPC then FIN (586-6380)

SB0531 SD2 HD1 (HSCR 1207)

RELATING TO ROADSIDE HERBICIDE USE. Senator Taniguchi (BR) (586-6460)  
Requires the department of transportation to adopt an integrated vegetation management program. Requires human health, safety, aesthetic, environmental, and economic concerns to be established in a hierarchy which favor the use of nonchemical methods and is incorporated into the chosen control method as part of the vegetation management strategy. Allows county agencies to adopt an integrated vegetation management program. Provides that an integrated vegetation management strategy for the control of weeds shall be designed to minimize maintenance costs and minimize chemical methods of integrated vegetation management with a goal towards the reduction and minimization of herbicide use. -- Creates a roadside integrated vegetation committee within the department of transportation. Committee to evaluate existing and new roadside vegetation management methods, evaluate roadside design option, plan and implement demonstration projects, and recommend policy for the implementation of a program for all public roadsides. Annual reports to the legislature by the department. -- SB0531 HD1  
Mar-22 99 Passed Second Reading House as amended (HD1)  
Mar-22 99 Referred to TRN (586-6180)

SB0536 SD1 (SSCR 146)

RELATING TO COMPUTER AND COMMUNICATION SYSTEMS. Senator D. Ige (586-6230)  
Establishes provisions relating to the state purchase of computer and communication systems and the sale of bonds. Allows the state agency head to purchase computer and communication systems in public safety technology, electronic government, and education technology. Authorizes the director of finance, from time to time to issue general obligation bonds that can mature at any time, including shorter terms of 3 to 10 years. -- SB0536 SD1  
Mar-22 99 Passed Second Reading House  
Mar-22 99 Referred to FIN (586-6200)

SB0538 SD2 HD1 (HSCR 1386)

RELATING TO THE UNIVERSITY OF HAWAII. Senator D. Ige (586-6230)  
Requires the board of regents of the university of Hawaii to make annual reports to the legislature including a unified budget, 6 year program and financial plan and variance report. -- Repeals the university from under the governor and places them separately with the judiciary. -- Requires the board of regents to submit a plan of proposed appropriations of the university to the legislature to accompany the budget. -- Provides that no more than 6 members of the board of regents shall be members of the same political party and at least part of the membership shall represent geographic subdivisions of the State. Provides that at least 1 member be a university student. -- Requires the board of regents to appoint and may remove the president of the university and set the salary of the president. -- Amends Act 321, session laws of 1986, as amended by Act 283, session laws of 1987, Act 371, session laws of 1989, Act 163, session laws of 1991, Act 314, session laws of 1993, Act 8, special session of 1993, Act 180, session laws of 1997, and Act 115, session laws of 1998. -- SB0538 HD1  
Mar-25 99 Passed Second Reading House as amended (HD1)  
Mar-25 99 Referred to FIN (586-6200)

SB0539 SD1 (SSCR 287)

PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII CONSTITUTION, TO PROVIDE THE UNIVERSITY OF HAWAII WITH AUTONOMY IN ALL MATTERS RELATED TO THE UNIVERSITY. Senator D. Ige (586-6230)

## SENATE BILLS WHICH PASSED THIRD READING

Proposes to amend the constitution. Provides that the board of regents of the university of Hawaii shall have power to formulate policy, and exercise control over the university of Hawaii and have exclusive jurisdiction over the internal organization and management of the university. -- SB0539 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to HED then JHA then FIN (586-6330)

SB0559 SD1 (SSCR 2121)

RELATING TO PUBLIC ACCESS. Senator Hanabusa (BR) (586-7793)

Amends provision relating to public access. Provides that the pedestrian or vehicular right of way shall be clearly designated on the final map of the subdivision or development. Requires the developer to designate vehicular access and free public parking within a reasonable distance from access points for private resorts or communities. Further provides that access signs shall be posted and the public shall not be required to provide identification or sign waivers of liability to utilize the access. -- SB0559 SD1

Feb-22 00 Introduction/Passed First Reading - House

Mar-01 00 Multiple Referral to WLU then JHA (586-6110)

SB0568 SD2 HD2 (HSCR 1328)

RELATING TO HISTORIC PRESERVATION. Senator Hanabusa (586-7793)

Amends provisions relating to historic preservation program. Adds definition of burial specialist to mean a person within the department of land and natural resources or member of an island burial council who possesses experience over a period of at least 3 years with human skeletal remains as a result of inadvertent discovery, repatriation, or reinternment (reinternment). Provides that violators of this section shall be subject to forfeiture of the historic property, heiau, or burial site to the State without compensation. Provides that the department of land and natural resources shall establish, maintain, and support a burial sites program to provide administrative support to the councils, and to implement applicable duties and responsibilities relating to burial sites and human skeletal remains. -- SB0568 HD2

Mar-17 99 Passed Second Reading House as amended (HD1)

Mar-25 99 Referred to FIN (586-6200)

SB0571 SD2 (SSCR 777)

RELATING TO HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS.

Senator Hanabusa (586-7793)

Amends provisions relating to individual claims resolution under the Hawaiian home lands trust. Extends the deadline for the preparation and transmittal of a final report on individual claims resolution under the Hawaiian home lands trust to the legislature and the governor to 2002 (from 1997). Extends the term of office of each member of the Hawaiian home lands trust individual claims review panel until December 31, 2001 (from 1999). Provides that claimants may file an action no earlier than October 1, 1997, but no later than October 1, 2001. Requires an aggrieved individual claimant to file a written notice with the panel no later than October 1, 2001 (from 1999), that the claimant does not accept the action taken by the legislature in regular session upon the claim. Provides for a limitation on actions unless the action is commenced by December 31, 2001 (from 1999). -- Amends Act 95, session laws of 1996, to specify that the transfer of lands are to provide a collateral funding mechanism for individual trust claims. Also provides that the cash value of the lands transferred shall be deposited into a special account in the Hawaiian home lands trust fund. Repeals special account on June 30, 2004 (sunset). Appropriation to the department of Hawaiian home lands. Authorizes the issuance of general obligation bonds for compensating successful claimants. -- SB0571 SD2

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Multiple Referral to JHA then FIN (586-8480)

SB0580

RELATING TO PROJECT FAITH. Senator Chumbley (586-6030)



## SENATE BILLS WHICH PASSED THIRD READING

Appropriation to the department of Hawaiian home lands through the Anahola homesteaders council for Project Faith. (\$\$) -- SB0580  
Mar-11 99 Introduction/Passed First Reading - House  
Mar-11 99 Single Referral to FIN (586-6200)

SB0584 SD1 (SSCR 894)

RELATING TO HABITUAL VIOLENT OFFENDERS. Senator Matsunaga (586-7100)

Establishes provision relating to habitual violent offenders. Provides that any person convicted of a violent offense, who has been twice previously convicted of 2nd degree murder or 3 times convicted of manslaughter, 1st degree child abuse or 1st degree robbery, in any jurisdiction, is a habitual violent offender. Requires the court, if current conviction is 2nd degree murder, to impose a sentence of life imprisonment without the possibility of parole. Requires the court to order the director of public safety to prepare an application to the governor to commute the sentence to life imprisonment with parole at the end of 20 years term or at the end of the applicable mandatory minimum term of imprisonment, whichever is longer. Provides definition of habitual violent offender and violent offense. -- Establishes provisions relating to enhanced sentencing for repeat sexual offenders. Requires a person who twice previously convicted of sexual assault, or a comparable offense under federal law or the laws of another state, to be sentenced under the extended terms of imprisonment for felony provision, and a person previously convicted 3 times shall be sentenced to lifetime imprisonment without the possibility of parole. Requires the court to order the director of public safety and the Hawaii paroling authority to prepare an application to the governor to commute the sentence to life imprisonment with parole at the end of 20 years term, or at the end of applicable mandatory minimum term of imprisonment, whichever is longer. -- SB0584 SD1

Mar-11 99 Introduction/Passed First Reading - House  
Mar-11 99 Single Referral to JHA/ PSM/ (586-8480)

SB0585 SD1 HD2 (HSCR 1712)

RELATING TO SEXUAL OFFENDERS. Senator Matsunaga (586-7100)

Amends provisions relating to sexual assault in the 4th degree. Requires the court to order the defendant, with 3 prior and separate convictions within 3 years, to participate in a sex offender assessment and if recommended a treatment program, established by the corrections population management commission. -- SB0585 HD2

Apr=15 99 Senate Disagrees to House amendments

Apr-19 99 Conference Committee: House Members: Oshiro P, Garcia N, Luke S  
-- Kaho'ohalahala S, Whalen P

Apr=19 99 Conference Committee: Senate Members: Chumbley A, Matsunaga M, Fukunaga C -- Anderson W, Chun Oakland S

SB0586 SD1 (SSCR 896)

RELATING TO DISPOSITION OF CONVICTED DEFENDANTS. Senator Chumbley (586-6030)

Amends provisions relating to extended terms of imprisonment. Provides an extended term of imprisonment for a defendant using a controlled substance to facilitate the commission or attempted commission of a felony sexual assault. -- SB0586 SD1

Mar-11 99 Introduction/Passed First Reading - House  
Mar-11 99 Single Referral to JHA (586-8480)

SB0594 SD1 HD1 CD1 (CCR 35)

RELATING TO FIREARMS. Senator Matsunaga (586-7100)

Amends provision relating to prohibited ownership or possession of a firearm or ammunition. Provides that a person who is restrained pursuant to an order of any court, that good cause shall not be based solely upon the consideration that a person is required to possess or carry firearms or ammunition during the course of their employment, and shall include the protection and safety of the

## SENATE BILLS WHICH PASSED THIRD READING

person to whom a restraining order is granted. -- SB0594 CD1  
May=04 99 Re Committed to Conference Committee Senate  
May-04 99 Re Committed to Conference Committee House

SB0599 SD1 HD1 (HSCR 1208)

RELATING TO DOMESTIC VIOLENCE. Senator Chumbley (586-6030)  
Amends provisions relating to domestic abuse protective orders. Defines dating relationship as a frequent intimate association with another person, primarily characterized by the expectation of affectional or sexual involvement. Provides criteria. Amends definition of family or household members to include persons who have or have had a dating relationship. Provides that neither a casual acquaintanceship nor ordinary fraternization between 2 individuals in a business or social context shall be deemed to constitute a dating relationship. -- Amends provision relating to abuse of family and household members. Establishes conviction subsequent to a 2nd conviction is a class C felony. -- SB0599 HD1  
Mar-22 99 Passed Second Reading House as amended (HD1)  
Mar-22 99 Referred to JHA (586-8480)

SB0604 SD2 (SSCR 697)

RELATING TO CONTROLLED SUBSTANCES. Senator Chumbley (586-6030)  
Amends provisions relating to confidentiality and disclosure of information under the uniform controlled substance Act. Authorizes disclosure of investigative information to law enforcement officers in furtherance of an ongoing criminal investigation or prosecution within their respective jurisdictions, or to dispensers, provide that the information disclosed relate only to the registrant's own patient and that the information be transmitted by certified mail or a means requiring the dispenser's signature for delivery. -- SB0604 SD2  
Mar-11 99 Introduction/Passed First Reading - House  
Mar-11 99 Multiple Referral to PSM then CPC then FIN (586-8490)

SB0605 SD1 HD2 (HSCR 1709)

RELATING TO CIVIL RIGHTS. Senator Chumbley (586-6030)  
Establishes temporary pilot program, administrated by the department of the attorney general, for collection, storage, dissemination and analysis of all hate crime data from all agencies. Provides criteria. Report to the legislature. Pilot program will cease to exist 120 days after its final report (sunset).-- SB0605 HD2  
Apr=15 99 Senate Disagrees to House amendments  
Apr-19 99 Conference Committee: House Members: Yoshinaga T, Oshiro P, Nakasone B -- Catalani I, Marumoto B  
Apr=19 99 Conference Committee: Senate Members: Chumbley A, Matsunaga M, Levin A -- Anderson W, Ihara L

SB0606 SD1 (SSCR 830)

RELATING TO DANGEROUS WEAPONS. Senator Matsunaga (586-7100)  
Amends provisions relating to deadly weapons. Provides that whoever knowingly manufactures, sells, transfers, possess or transports any butterfly knife shall be guilty of a misdemeanor, and whoever knowingly possess or intentionally uses or threatens to use a butterfly knife while engaged in the commission of a crime shall be guilty of a class C felony. Also provides that it is a class C felony for any person to sell or transfer a switchblade or butterfly knife to any minor. -- SB0606 SD1  
Mar-11 99 Introduction/Passed First Reading - House  
Mar-11 99 Single Referral to JHA (586-8480)

SB0607 SD1 HD2 (HSCR 1814)

RELATING TO FIREARMS. Senator Chumbley (586-6030)  
Amends provisions relating to firearms brought into the State. Authorizes non resident alien, for a period not exceeding 90 days, to bring into the State firearms not otherwise prohibited by law into the State by meeting the registration requirements of this section, possessing a valid Hawaii hunting license, a commercial or private shooting preserve permit, a written document

## SENATE BILLS WHICH PASSED THIRD READING

indicating the person has been invited to the State to shoot on private land, or written notification from a firing range or target shooting business indicating that the person actually engaged in target shooting. Limits the non resident to a non transferable registration of not more than 10 firearms. -- SB0607 HD2

Apr=15 99 Senate Disagrees to House amendments

Apr-19 99 Conference Committee: House Members: Cachola R, Hamakawa E, Kanoho E -- Meyer C, Schatz B

Apr=19 99 Conference Committee: Senate Members: Chumbley A, Matsunaga M -- Anderson W, Tanaka J

SB0612

RELATING TO TOBACCO LIABILITY. Senator Chumbley (586-6030)

Amends provisions relating to tort actions by establishing the tobacco liability Act. Requires tobacco manufacturers that do not participant in the tobacco manufacturers master settlement agreement to pay a per cent of sales, on an ascending scale, into a qualified escrow fund. -- Manufacturers to receive interest on funds placed in escrow. Funds shall be released to pay a judgment or settlement against the manufacturers on any released claim brought by the State or any releasing party located or residing in the State. Funds deposited in excess of the State's yearly allocable share under the master agreement shall revert back to the tobacco manufacturer. Escrow funds not released 25 years after the date of deposit revert back to the tobacco manufacturer. -- Provides criteria and civil remedies against any tobacco manufacturers that fail to place funds into escrow as required. -- Requires annual certification of compliance to the attorney general. -- SB0612

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Multiple Referral to HLT then JHA then FIN (586-6380)

SB0613 SD2 (SSCR 873)

RELATING TO TOBACCO PRODUCTS. Senator Matsunaga (586-7100)

Changes the intoxicating liquor law to include tobacco products. Establishes regulation of tobacco sales. Prohibits a person from importing or selling, or both, cigarettes and tobacco products without a license issued by the liquor commission. -- SB0613 SD2

Mar-22 99 Passed Second Reading House

Mar-22 99 Referred to CPC (586-6150)

SB0615 SD1 (SSCR 2045)

PROPOSING AN AMENDMENT TO ARTICLE I OF THE HAWAII CONSTITUTION, TO ADD A SECTION ON CRIME VICTIMS' RIGHTS.

Senator Chumbley (586-6030)

Proposes to amend the constitution to establish rights for crime victims. Requires that a victim of a crime be treated with fairness, dignity and respect in the criminal justice process, and be accorded reasonable access to information, and appropriate rights to privacy, protection, participation in criminal proceedings, and restitution as provided by law. Provision shall not provide any person a right to appeal or modify any decision in a criminal proceeding, nor abridge any other rights guaranteed by the Constitution of the US or this constitution, nor create any cause of action for compensation or damages against the State, any county of the state, any officer, employee or agent of the State or of any county or any officer of the court. -- SB0615 SD1

Feb-15 00 Introduction/Passed First Reading - House

Feb-16 00 Multiple Referral to JHA then FIN (586-8480)

SB0618 SD1 (SSCR 874)

RELATING TO PATHOLOGICAL INTOXICATION. Senator Matsunaga (586-7100)

Amends provision relating to intoxication. Changes definition of pathological intoxication to intoxication that is caused by the introduction, into the body, of any controlled substance, as defined in schedule 1 to 4 of the uniform controlled substances Act, is grossly excessive in degree given the amount of the intoxicant, to which the defendant does not know the defendant is susceptible,

## SENATE BILLS WHICH PASSED THIRD READING

and results from a pre existing physical abnormality. -- SB0618 SD1  
Mar-11 99 Introduction/Passed First Reading - House  
Mar-11 99 Single Referral to JHA (586-8480)

SB0619 SD1 (SSCR 875)

RELATING TO PENAL RESPONSIBILITY. Senator Matsunaga (586-7100)  
Amends provision relating to penal responsibility and fitness to proceed.  
Repeals the terms with term of physical or mental disease, disorder or defect.  
Includes only those severely abnormal mental or physical conditions that are  
not attributable to the voluntary ingestion of alcohol or any other psychoactive  
substance, and are not manifested only by repeated penal or otherwise anti  
social conduct. -- SB0619 SD1 Mar-11 99 Introduction/Passed First  
Reading - House  
Mar-11 99 Single Referral to JHA (586-8480)

SB0629 SD1 (SSCR 852)

RELATING TO ELECTIONS. Senator Chumbley (586-6030)  
Amends election provisions relating to campaign contributions and  
expenditures. Amends definition of qualifying campaign contribution to mean a  
monetary contribution of 100 dollars or less of the aggregate contribution made  
by any person during any matching payment period. -- Amends provision  
relating to voluntary campaign expenditure limitation by repealing the  
candidate's option to withdraw the candidate's affidavit no later than 30 days  
prior to a primary election. Provides that affidavits shall be filed by the time of  
filing of nomination papers with the chief elections officer or county clerk. --  
Requires all contributors to be notified in writing within 30 days of the day on  
which expenditure limits are exceeded. -- Changes the days, from 10 to 20, that  
the comptroller shall distribute the public fund to each eligible candidate, after  
initial application to the commissioner. -- Provides that all candidates shall  
return all unexpended public funds to the Hawaii election campaign fund after  
filing a final report for any election. Amends Act 27, special session law of  
1995, as amended by Act 13, session laws of 1996. -- SB0629 SD1  
Mar-11 99 Introduction/Passed First Reading - House  
Mar-11 99 Single Referral to JHA (586-8480)

SB0654 SD1 HD2 (HSCR 1828)

RELATING TO LEGISLATIVE AGENCIES. Senator Ihara (586-6250)  
Appropriation to the legislative reference bureau to hire a 2nd full time staff  
person for the public access room. (\$\$) -- SB0654 HD2  
Apr=15 99 Senate Disagrees to House amendments  
Apr-19 99 Conference Committee: House Members: Kanoho E, Takamine D --  
Ahu Isa L, Halford C  
Apr=19 99 Conference Committee: Senate Members: Fukunaga C, Levin A --  
Anderson W, Ige D, Kawamoto C

SB0656 SD2 (SSCR 778)

RELATING TO THE PUBLIC UTILITIES COMMISSION. Senator Ihara  
(586-6250)  
Establishes a citizen advisory committee within the department of commerce  
and consumer affairs to review and evaluate the activities of the public utilities  
commission and the utilities to ensure that such regulated monopolies operate  
in accordance with public policy and study the operation of laws affecting  
consumers. Annual report to the governor and legislature. -- SB0656 SD2  
Mar-11 99 Introduction/Passed First Reading - House  
Mar-11 99 Multiple Referral to CPC then FIN (586-6150)

SB0660 SD1 (SSCR 881)

RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING  
LIQUOR.  
Senator Kawamoto (586-6970)  
Establishes penalties for driving under the influence of intoxicating liquor and  
having a passenger 12 years of age or younger in or on the vehicle. -- SB0660  
SD1

## SENATE BILLS WHICH PASSED THIRD READING

Mar-11 99 Introduction/Passed First Reading - House  
Mar-11 99 Multiple Referral to TRN then JHA (586-6180)

SB0665 SD2 (SSCR 793)

RELATING TO MOTORCYCLE INSURANCE. Senator Kawamoto (586-6970)  
Provides that a person seeking to obtain motorcycle insurance liability coverage to have obtained a valid motorcycle or motor scooter learner's permit and have enrolled in or passed a motorcycle education course approved by the department of transportation or by the installation commander of any branch of the armed services of the US provided the course meets the Motorcycle Safety Foundation standards. Provides that to obtain a temporary binder a person may submit proof to the insurer of the person's enrollment in a motorcycle education course approved by the installation commander of any branch of the armed services of the US provided the course meets the Motorcycle Safety Foundation standards. -- SB0665 SD2

Mar-22 99 Passed Second Reading House  
Mar-22 99 Referred to CPC (586-6150)

SB0666 SD1 HD1 (HSCR 1385)

RELATING TO HIGHER EDUCATION. Senator Kawamoto (586-6970)  
Requires the university of Hawaii to inform all students who are required to register with the Selective Service System of their obligation to comply, during preadmission enrollment and registration. -- SB0666 HD1

Mar-25 99 Passed Second Reading House as amended (HD1)  
Mar-25 99 Referred to FIN (586-6200)

SB0667

RELATING TO HIGHWAYS. Senator Kawamoto (586-6970)  
Establishes restrictions for the use of zipper lanes (zip). Provides that between 5 and 7 a.m. 3 people must be in the vehicle, between 7 and 8 a.m. 2 people must be in the vehicle, and between 8 and 10 am. any number of people may be in the vehicle. Provides that between the hours of 7 to 8 am. high occupancy vehicle lanes (HOV) on Interstate Route H-1 (H 1) may be occupied by any vehicle regardless of the number of people in the vehicle. -- SB0667

Feb-11 99 Introduction/Passed First Reading - House  
Feb-16 99 Multiple Referral to TRN then FIN (586-6180)

SB0674 SD2 (SSCR 882)

RELATING TO POLICE ROADBLOCK PROGRAMS. Senator Kawamoto (586-6970)

Amends intoxicating liquor and drug control roadblock programs to add that the failure to comply scrupulously with internal police procedures that exceed the minimum statutory roadblock requirements shall not invalidate a roadblock that otherwise meets the minimum statutory criteria. -- SB0674 SD2

Mar-11 99 Introduction/Passed First Reading - House  
Mar-11 99 Multiple Referral to TRN then JHA (586-6180)

SB0675 SD1 HD1 (HSCR 1133)

RELATING TO CONTRACTOR'S LICENSES. Senator Kawamoto (586-6970)  
Amends provisions of the public procurement code by adding the definition of local resident. Provides criteria. -- SB0675 HD1

Mar-17 99 Passed Second Reading House as amended (HD1)  
Mar-17 99 Referred to CPC (586-6150)

SB0677 SD1 (SSCR 578)

RELATING TO DRIVER IMPROVEMENT PROGRAM. Senator Kawamoto (586-6970)

Requires every employer and job placement center who employs a commercial motor vehicle driver who drives a motor vehicle with a gross vehicle weight rating in excess of 10,000 pounds to provide the driver a driver improvement program. -- SB0677 SD1

Mar-11 99 Introduction/Passed First Reading - House  
Mar-11 99 Multiple Referral to TRN then JHA (586-6180)

## SENATE BILLS WHICH PASSED THIRD READING

- SB0680 SD1 HD2 (HSCR 1725) RELATING TO FIREWORKS. Senator Kawamoto (586-6970)  
Establishes provision relating to fireworks certificates of use. Provides that the counties may further regulate the use of non aerial common fireworks through the issuance of certificates of use. Provides criteria. -- Amends provisions relating to license or permit required, permits and penalty. Provides that any person setting off, igniting, discharging, selling, purchasing, transferring or possessing aerial common fireworks without a license or permit shall be guilty of a misdemeanor. -- SB0680 HD2  
Apr=15 99 Senate Disagrees to House amendments  
Apr=19 99 Conference Committee: Senate Members: Kawamoto C, Chumbley A, Matsunaga M -- Bunda R, Ihara L, Slom S, Taniguchi B  
Jan-31 00 Conference Committee: House Members: Hamakawa E, Nakasone B -- Goodenow K, Saiki S, Whalen P
- SB0685 SD1 (SSCR 883) RELATING TO REGISTRATION OF MOTOR VEHICLES UNDER TWO OR MORE NAMES. Senator Kawamoto (586-6970)  
Amends the provision that any vehicle registered in the names of 2 or more persons shall be presumed to be owned in joint tenancy unless otherwise stated by a written form provided by the director of finance. Repeals the provision that the form be provided by the director of finance. -- SB0685 SD1  
Mar-11 99 Introduction/Passed First Reading - House  
Mar-11 99 Multiple Referral to TRN then JHA (586-6180)
- SB0686 SD1 (SSCR 24) RELATING TO VEHICLE HIGHWAY BEAUTIFICATION FEE. Senator Kawamoto (586-6970)  
Increases the maximum additional fee that the counties may establish by ordinance for each additional certificate of registration for highway beautification and the disposal of abandoned vehicles from 1 dollar to 3 dollars. Exempts u drive motor vehicles from the additional fee. -- SB0686 SD1  
Mar-11 99 Introduction/Passed First Reading - House  
Mar-11 99 Multiple Referral to TRN then CPC then FIN (586-6180)
- SB0717 RELATING TO SPECIAL PURPOSE REVENUE BONDS. Senator Inouye (586-7335)  
Authorizes the issuance of special purpose revenue bonds to assist north Hawaii community hospital, inc. (\$\$) -- SB0717  
Mar-22 99 Passed Second Reading House  
Mar-22 99 Referred to FIN (586-6200)
- SB0744 SD1 HD1 (HSCR 1428) RELATING TO TAXATION. Senate President Mizuguchi (586-6870)  
Provides a general excise tax exemption for amounts received from a person operating a call center by a person engaged in business as a telecommunications common carrier for interstate or foreign telecommunications services, including toll free telecommunications, telecommunication capabilities for electronic mail, voice and data telecommunication, computerized telephone support, facsimile (fax), wide area telecommunication services, or computer to computer communication. Provides that public service company tax shall not apply to such persons and businesses. Act to be repealed as of January 1, 2003 (sunset). -- SB0744 HD1  
Mar-25 99 Passed Second Reading House as amended (HD1)  
Mar-25 99 Referred to FIN (586-6200)
- SB0775 SD1 (SSCR 567) RELATING TO ACTIVITY PROVIDERS AND ACTIVITY DESKS. Senator Taniguchi (586-6460)  
Amends provision relating to activity providers and activity desks. Prohibits an activity desk from receiving payments, allowances, rebates, refunds, commissions or unearned discounts, after injunctive relief has been granted. Amends provision relating to injunctive relief. Provides that any activity provider

## SENATE BILLS WHICH PASSED THIRD READING

may bring suit to enjoin an activity desk or activity provider from receiving or making payments, allowances, rebates, refunds, commissions or unearned discounts, of money or otherwise, which are not available to other activity desks upon like terms or conditions.-- SB0775 SD1

Mar-25 99 Passed Second Reading House

Mar-25 99 Referred to CPC (586-6150)

SB0780 SD1 (SSCR 653)

RELATING TO HEALTH INSURANCE. Senator Taniguchi (586-6460)

Provides that public assistance recipients receiving medical assistance shall be allowed coverage for medical foods and low protein modified food products for the treatment of inborn errors of metabolism. -- Requires each group health policy, contract, plan, or agreement under accident and sickness provisions, individual and group hospital and medical service contracts under benefit societies provisions, and each health maintenance organization (HMOs) to provide coverage for medical foods and low protein modified food products for the treatment of inborn errors of metabolism. -- SB0780 SD1

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Multiple Referral to HLT/ HSH/ then CPC then FIN (586-6380)

SB0783 SD1 (SSCR 794)

RELATING TO DENTAL INSURANCE. Senator Taniguchi (BR) (586-6460)

Allows the insured under accident, sickness insurance provisions, mutual benefit society provisions, and health maintenance organization (HMOs) provisions to assign reimbursement for dental services directly to the provider of services (choice of dentist) regardless of whether the provider is a nonparticipating provider. -- SB0783 SD1

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Multiple Referral to HLT then CPC then FIN (586-6380)

SB0785 SD1 HD1 (HSCR 1421)

RELATING TO PUBLIC UTILITIES. Senator Levin (586-6760)

Amends provision relating to eminent domain for a public utility. Requires the utility to submit in writing to the public utilities commission its intention to exercise the power, with a description of the property and for the commission to find that the condemnation is in the public interest, the condemnation is necessary, and the utility will use the property for its operations as a utility. -- Allows the public utilities commission to select an alternative telecommunications provider to replace the existing provider and decertify the existing provider if the commission determines that an area of the State has less than adequate service and the provider fails to show cause. Allows the decertified provider to reapply for the right to serve the area in the future.

Allows the alternative provider to acquire from the former provider by eminent domain property and any rights appurtenant thereto for the provision of telecommunications service in that area. -- SB0785 HD1

Mar-25 99 Passed Second Reading House as amended (HD1)

Mar-25 99 Referred to CPC/ JHA/ (586-6150)

SB0791 SD2 (SSCR 2780)

RELATING TO THE PUBLIC UTILITIES COMMISSION. Senator Ihara (586-6250)

Establishes the public utilities commission intervenors pilot project fund administered by the commission to assist persons who are permitted to intervene in any investigation by or proceeding before the commission. Report to the legislature. Transfers money from the public utilities commission special fund to the pilot fund and transfer any remaining balance back on June 30, 2001(sunset). (\$\$) -- SB0791 SD2

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to CPC then FIN (586-6150)

SB0797 SD2 (SSCR 748)

RELATING TO PUBLIC PROCUREMENT. Senator Tam (586-6450)

Establishes provision relating to electronic posting of awards, within the Hawaii

## SENATE BILLS WHICH PASSED THIRD READING

public procurement code. Requires the chief procurement officer post to the name, amount, type of contract, and procurement for each contractor awarded a contract for goods, services or construction. -- Amends provisions relating to methods of source selection. Provides the chief procurement officer shall maintain a record of all procurements for goods, services or construction of 25,000 dollars or more. Provides that the total amount of nonbid contracts awarded to any 1 individual, sole proprietorship, corporation, limited liability company, firm, partnership, business, joint venture, joint stock company, group, hui, society, association, or similar entity within a 5 year period shall not exceed \_\_\_ awards unless the governor grants special approval for the award in writing, based upon a recommendation from the administrator of the state procurement office after a public hearing as may be necessary, or all contractors eligible to bid on nonbid contracts have received at least 1 contract award within the 5 year period. -- Provides that all records related to the public hearing, the administrator's recommendation and the governor's approval shall be made available for public inspection. -- SB0797 SD2

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Single Referral to FIN (586-6200)

SB0800 SD2 (SSCR 2589)

RELATING TO TAXATION. Senator Fukunaga (586-6890)

Provides a general excise tax exemption for amounts received by a wastewater reclamation facility from a county for processing and cleaning wastewater and returning the water to the county. -- SB0800 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB0802

RELATING TO THE COMMISSION ON PERSONS WITH DISABILITIES.

Senator Levin (586-6760)

Establishes a compliance review special fund for the commission on persons with disabilities to fund the commissions's staff and operations. Allows the commission to charge reasonable fees for its review of private sector building plans to comply with the requirements of the Americans with Disabilities Act that shall be deposited into the fund. -- SB0802

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Multiple Referral to HLT then FIN (586-6380)

SB0803 SD2 HD1 (HSCR 1416)

RELATING TO WORKFORCE RESTRUCTURING. Senator Fukunaga (586-6890)

Establishes the strategic workforce reduction and government reorganization Act. Establishes a phased strategic workforce reduction plan. Provides that the respective director of all departments, the judiciary and the university of Hawaii shall submit to the legislature a strategic workforce reduction and reorganization plan, outlining the use of incentive benefits and a proposed organizational chart.

Requires each department to submit its draft strategic plan to the department of budget and finance and the department of human resources development, and submit the revised draft strategic plans to the governor. Requires the judiciary and the university of Hawaii to submit its draft and revised draft strategic plan to the chief justice and the university of Hawaii president, respectively. Requires the governor, chief justice and university president to submit final strategic plans to the legislature. Provides that if no action to disapprove a plan is taken by March 1, 2000 the plan shall be deemed approved. Requires an annual status report on plan implementation. Provides criteria. -- Provides for voluntary separation, that a permanent full time employee whose position is specifically eliminated or eliminated as a result of any restructuring plan proposed by a department, the judiciary or the university of Hawaii, shall be offered the opportunity to receive transitional severance benefits in lieu of any rights to which the employee may be entitled under the reduction in workforce policies, collective bargaining agreements, rules and procedures, placement and bumping under collective bargaining agreements, or



## SENATE BILLS WHICH PASSED THIRD READING

special retirement incentives. Provides for retirement program, that any employee whose position is specifically eliminated or eliminated as a result of any restructuring plan proposed by a department, the judiciary or the university of Hawaii may elect, if the employee is a vested member of the employees' retirement system, the special retirement benefits in lieu of exercising any right may be entitled. Provides for early retirement a 1 time service credit of 2 additional years shall be provided to affected employees. Requires that the department of human resources development and the judiciary, in cooperation with the employees' retirement system, to provide briefings prior to the implementation of any strategic workforce reduction plan to educate the employees. Further requires the department to develop and coordinate a career transition program. -- Allows the mayor of a county, with the approval of the county council, to exercise discretion with respect to participation in the retirement program if a voluntary separation program is initiated in that county. Requires a list of special retirement participants to be transmitted to the board of trustees of the employees' retirement system by May 1, 2000. Provides that each participating county shall be charged its portion of additional actuarial present value of benefits as determined by the board. -- SB0803 HD1

Mar-25 99 Passed Second Reading House as amended (HD1)

Mar-25 99 Referred to FIN (586-6200)

SB0810

RELATING TO NOXIOUS WEED CONTROL. Senator Fukunaga (586-6890) Amends provisions relating to the designation of noxious weed. Provides that the following plants shall be deemed noxious weeds, fiddlewood (*citharexylum caudatum*), Khakiweed (*alternanthera pungens*), and Common Sanbur (*cenchrus echinatus*). -- SB0810

Mar-05 99 Introduction/Passed First Reading - House

Mar-11 99 Multiple Referral to AGR then FIN (586-6010)

SB0813 SD2 HD1 (HSCR 1396)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST THE GAS UTILITY IN SERVING THE GENERAL PUBLIC. Senator Fukunaga (586-6890)

Authorizes the issuance of special purpose revenue bonds for the local furnishing of utility gas by The Gas Company, division of Citizens Utilities Company, for multi purpose capital improvement program, transmission and distribution lines, and other gas utility facilities and equipment, provided that approval by the public utilities commission be required for any project. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. Annual report to the legislature. (\$\$) -- SB0813 HD1

Mar-19 99 Passed Second Reading House

Mar-25 99 Referred to FIN (586-6200)

SB0818 SD2 (SSCR 711)

RELATING TO HEALTH INSURANCE. Senator Buen (586-7340)

Changes age and frequency guidelines for accident and sickness and benefit societies coverage for screening by low dose mammography for occult breast cancer. Repeals the requirement that the insurance commissioner annually review the age and frequency guidelines for mammogram screening recommended by the American Cancer Society and accordingly adjust the age and frequency requirements. -- SB0818 SD2

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Multiple Referral to HLT then CPC then FIN (586-6380)

SB0825 SD2 HD2 (HSCR 1706)

RELATING TO BREASTFEEDING. Senator Chun Oakland (586-6130)

Amends the duties of the commission on the status of women by including instances of discrimination involving breastfeeding or expressing breastmilk in the workplace, to accumulate, compile, and publish information on. Provides that it shall be unlawful discriminatory practice for any employer or labor

## SENATE BILLS WHICH PASSED THIRD READING

organization to refuse to hire or employ, to bar or discharge, or to withhold pay, demote, or penalize a lactating woman who breastfeeds or expresses milk at the workplace. -- Establishes provisions allowing an employer to provide employees with adequate time during the working day for the sole purpose of breastfeeding or expressing milk for a period not to exceed 1 year after the birth of the child. -- SB0825 HD2

Apr=15 99 Senate Disagrees to House amendments

Apr-19 99 Conference Committee: House Members: Yoshinaga T, Oshiro P, Catalani I -- Lee M, Pendleton D

Apr=19 99 Conference Committee: Senate Members: Chun Oakland S, Fukunaga C -- Anderson W

SB0835 SD2 (SSCR 622)

RELATING TO EMERGENCY MEDICAL SERVICES. Senator Chun Oakland (586-6130)

Requires the department of health to establish, administer, and maintain an aeromedical emergency medical services information system to collect and analyze data to measure the efficiency and effectiveness of each phase of an aeromedical quality improvement program. Requires the system to serve the emergency health needs of the people by identifying system strengths and weaknesses, the allocation of resources, and the development of aeromedical services standards. Provides that the department shall plan, coordinate, and provide assistance to all entities and agencies, public and private, involved in the system. System to measure, but not be limited to communication and dispatch, medical oversight by physicians, and license and standards of emergency aeromedical services. Allows the department to require licensing and standards of emergency aeromedical services. Amends provisions to include, within the state comprehensive emergency medical services system, emergency aeromedical services. Requires the department to establish an emergency aeromedical services quality improvement committee to analyze information collected from the aeromedical quality improvement performance measures. -- Establishes the emergency medical services special fund into which shall be deposited appropriations by the legislature and revenues from fees charged for emergency ambulance services. Excess moneys remaining in the fund, at the close of each fiscal year, shall lapse into the general fund, after consultation with the director of health. -- SB0835 SD2

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Multiple Referral to HLT then FIN (586-6380)

SB0836 SD1 (SSCR 470)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR KUAKINI MEDICAL CENTER. Senator Chun Oakland (586-6130)

Authorizes the issuance of special purpose revenue bonds to assist Kuakini medical center and any 1 or more of its not for profit affiliates in financing or refinancing the costs of construction of, improvements to, and equipment for its health care facilities, the purchase of tangible assets, including land and improvements, and other capital related projects. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB0836 SD1

Mar-22 99 Passed Second Reading House

Mar-22 99 Referred to FIN (586-6200)

SB0837 SD1 (SSCR 790)

RELATING TO MANAGED HEALTH CARE. Senator Chun Oakland (586-6130)

Provides that whenever an individual or group hospital or medical service plan contract under mutual benefit societies provisions, or a policy, contract, plan, or agreement under accident and sickness provisions provides for payment for dermatological services, the person entitled to benefits or the person performing the services shall be entitled to reimbursement or payment with or without obtaining a referral or other authorization before those services are performed.

## SENATE BILLS WHICH PASSED THIRD READING

-- SB0837 SD1

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Multiple Referral to LAB/ HLT/ then CPC (586-8450)

SB0845 SD1 (SSCR 789)

RELATING TO SOCIAL WORKERS. Senator Chun Oakland (586-6130)

Amends provisions relating to social workers by adding licensed clinical social worker (LCSW) and social work associate (SWA). Includes psychotherapy by a licensed clinical social worker; psychosocial assessment and diagnostic impression of individuals, couples, families, and groups under the supervision of a qualified clinical social worker, diplomate in clinical social work, or board certified diplomate; and administration of social work programs and policies as part of the practices of social work. Provides criteria in obtaining a license. -- SB0845 SD1

Mar-11 99 Introduction/Passed First Reading - House

Mar-15 99 Multiple Re referral to HLT/ HSH/ then CPC (586-6380)

SB0851 SD2 HD1 (HSCR 1194)

RELATING TO HEALTH CARE. Senator Chun Oakland (586-6130)

Requires hospice homes to be considered a residential use of property and to be a permitted use in all residentially designated zones, including but not limited to zones for single family dwellings. Prohibits conditional use, permit, variance, or special exception to be required for residences used as hospice homes. -- Establishes hospice services within the department of health. Authorizes the department to license hospice service agencies. -- SB0851 HD1

Mar-22 99 Passed Second Reading House as amended (HD1)

Mar-25 99 Referred to FIN (586-6200)

SB0856 SD2 HD2 (HSCR 1818)

RELATING TO LONG-TERM RESIDENTIAL CARE. Senator Chun Oakland (586-6130)

Establishes provisions requiring adult residential care facilities to be categorized under basic residential care or expanded residential care. Requires the department of health to develop and adopt a social model of health care to ensure the health, safety, welfare, and civil rights of individuals placed in these facilities, to protect a person's right to choose an appropriate setting, to respect the facility provider's right to turn away a potential resident if the provider believes, in good faith, adequate or appropriate care cannot be given by the provider, to comply with federal laws and regulations, and to provide penalties for failure to comply. Provides that all adult residential care facilities shall be regulated uniformly by the department. Requires the department of human services, with the assistance of the department of health and the adult residential care industry to conduct a comprehensive review of services and report to the legislature and the director of health. Provides that the department of health shall establish standard admission procedure, and maintain an inventory of vacancies in the facilities, under this provision. -- Requires the department to employ, as a uniform assessment tool, the scaled down version of the medicaid waiver program's social and health assessment forms for all residential care facilities other than basic adult residential care homes to help reduce system fragmentation, increase system efficiency and effectiveness, enhance quality of care, and to make the system more consumer friendly. -- Further requires the department to establish an information and referral process to serve all potential clients of adult residential care facilities, namely the elderly, the non elderly under age 60, and disabled persons of all ages. -- Provides that the department shall adopt rules to license adult foster homes for persons with developmental disabilities, adult residential care homes (ARCH), adult waiver foster family homes, developmental disabilities domiciliary adult foster homes for persons with developmental disabilities, expanded adult residential care homes, and for expanded developmental disabilities domiciliary homes. -- Establishes provision relating to adult residential care homes (ARCH) personal injury and property damage compensation special fund. Establishes

## SENATE BILLS WHICH PASSED THIRD READING

the compensation fund for operators of adult residential care homes and other persons for personal injuries and property damage caused by residents placed in adult residential care by the State, and to offer training and education programs in handling violent residents. Provides that funding from a 5 dollar contribution per resident placed by the State, deducted from state payments to adult residential care homes. Authorizes the director of finance to suspend monthly contributions when the special funds exceeds 100,000 dollars, and reinstate when unencumbered funds drop below 75,000 dollars. Provides that disbursements shall be made by a 5 member ad hoc panel. Provides criteria. Requires the department of health to adopt rules. Appropriation. -- Changes adult family boarding home and care home to adult residential care facilities. -- Repeals definition of adult residential care home and expanded adult residential care home, and defines expanded adult residential care home. Redefines type I and type II expanded adult residential care home. -- Adds that the department shall provide support and services to community residential alternatives for persons with developmental disabilities or mental retardation, that promote normalized living, inclusion, and self determination including basic category developmental disabilities domiciliary homes and adult foster homes, expanded category developmental disabilities domiciliary homes and adult foster homes, and homes meeting standards. -- Repeals adult foster homes, licensing of adult residential care homes, and developmental disabilities domiciliary homes provisions from the department of health. Repeals Act 132, session laws of 1998, residential care homes expanded admissions and licensing of expanded adult residential care homes. -- Requires the department of health to determine the number of existing type I adult residential care homes (ARCH) in the State that have any vacancy within their licensed capacity and to identify these facilities. Requires the department to determine the total bed capacity, total number of vacancies, and percentage of vacancies for type I adult residential care home. Further requires the department to cease issuing licenses to operate new regular type I adult residential care homes until the percentage of these underutilized homes falls below 10 per cent of the total amount on each island. Requires the department of human services to encourage its clients to enter those homes designated as underutilized by the department of health. Exempts expanded adult residential care homes from these provisions. Appropriation to the department of health for implementing an information and referral process for the adult residential care facilities system through the executive office on aging. (\$\$) -- SB0856 HD2

Apr=15 99 Senate Disagrees to House amendments

Apr-19 99 Conference Committee: House Members: Arakaki D, Santiago A, Menor R, Kanoho E -- Marumoto B

Apr=19 99 Conference Committee: Senate Members: Chun Oakland S, Fukunaga C -- Anderson W, Chun J, Kawamoto C

SB0860 HD1 (HSCR 1195)

RELATING TO MENTAL HEALTH. Senator Chun Oakland (586-6130)

Amends mental health, alcohol, and drug abuse treatment insurance provisions to allow treatment by marriage and family therapists. -- SB0860 HD1

Mar-22 99 Passed Second Reading House as amended (HD1)

Mar-22 99 Referred to CPC (586-6150)

SB0862 SD2 (SSCR 2760)

RELATING TO MEDICAL USE OF MARIJUANA. Senator Chun Oakland (BR) (586-6130)

Establishes provisions relating to the medical use of marijuana. Allows any qualifying patient, who has obtained written documentation from a physician, or a qualifying patient's primary caregiver, to engage in the medical use or distribution of marijuana. Extends the legal protections for the patient for the medical use and for administration of marijuana to a patient's primary care giver. Protects a physician from arrest or prosecution for providing a written documentation. Establishes restrictions for patients under 18 years of age. --

## SENATE BILLS WHICH PASSED THIRD READING

	<p>SB0862 SD2 Mar-09 00 Introduction/Passed First Reading - House Mar-09 00 Multiple Referral to HLT then JHA (586-6380)</p>
SB0869 SD2 (SSCR 657)	<p>RELATING TO EDUCATION. Senator Chun Oakland (586-6130) Requires the department of education to set appropriate counselor to student ratios to promote effective learning and development of students. Also requires the department to adjust staffing at schools with a disproportionate number of at risk students. Requires all schools to utilize the criteria, screening process, and documentation requirements for the comprehensive school alienation program as the basis for designating at risk students. -- SB0869 SD2 Mar-25 99 Passed Second Reading House Mar-25 99 Referred to FIN (586-6200)</p>
SB0873 SD1 (SSCR 796)	<p>RELATING TO REAL PROPERTY APPRAISALS. Senator Chun Oakland (586-6130) Amends provision relating to real property leases to require that fair market value be determined in conformance with the uniform standards of the professional appraisal practice and fair market value that is determined to be less than the rental amount currently being paid shall prevail over existing contract provision which bars the lowering of lease rent upon renegotiation. -- SB0873 SD1 Mar-11 99 Introduction/Passed First Reading - House Mar-11 99 Multiple Referral to CPC then FIN (586-6150)</p>
SB0876 SD2 HD1 (HSCR 1254)	<p>RELATING TO RESIDENTIAL LEASE-TO-FEE CONVERSION. Senator Tam (586-6450) Establishes provisions relating to an appraisal method for cooperative housing corporation and condominium lease to fee conversion. Provides a fair market value conversion standard for a fee simple owner to offer the leased fee interest in residential real property to be purchased by a lessee. -- SB0876 HD1 Mar-24 99 Passed Second Reading House as amended (HD1) Mar-24 99 Referred to CPC (586-6150)</p>
SB0887	<p>RELATING TO JUDGES FOR THE CIRCUIT COURT. Senate President Mizuguchi (BR) (586-6870) Amends provision relating to circuit court judges. Provides that the circuit court of the 5th circuit shall consist of 2 judges, styled as 1st and 2nd judge respectively. -- SB0887 Mar-25 99 Passed Second Reading House Mar-25 99 Referred to FIN (586-6200)</p>
SB0888	<p>RELATING TO THE TRAFFIC CODE. Senate President Mizuguchi (BR) (586-6870) Increases the amount the court may assess for the cost of issuing a penal summons upon any person who fails to appear for a traffic violation. -- SB0888 Mar-11 99 Introduction/Passed First Reading - House Mar-11 99 Multiple Referral to JHA then FIN (586-8480)</p>
SB0898	<p>RELATING TO THE DISPOSITION OF NOTARY RECORDS. Senate President Mizuguchi (BR) (586-6870) Transfers responsibility for records of notaries public from the clerk of the circuit court of the judicial circuit in which the notary public resides to the office of the attorney general. -- SB0898 Mar-11 99 Introduction/Passed First Reading - House Mar-11 99 Multiple Referral to JHA then FIN (586-8480)</p>
SB0900 SD1 (SSCR 677)	<p>RELATING TO FEES. Senate President Mizuguchi (BR) (586-6870)</p>

## SENATE BILLS WHICH PASSED THIRD READING

Amends provision relating to the fee schedule of court costs. Repeals fees for application for appointment of special administrator, informal probate or appointment and application for formal testacy proceedings under the uniform probate code. Adds fees for domiciliary foreign personal representative. -- SB0900 SD1

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Multiple Referral to JHA then FIN (586-8480)

SB0902 SD1 (SSCR 635)

RELATING TO RECORDS MANAGEMENT SERVICES. Senate President Mizuguchi (BR) (586-6870)

Establishes provision relating to court costs and fees to include a surcharge for records management services. Provides criteria. Establishes the records management fund which shall be administered by the judiciary for records storage, the purchase of hardware and software to enhance the capability of imaging and storing records and other expenses relating to records management services. Prohibits moneys in the records management revolving fund to revert to the general fund. -- SB0902 SD1

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Multiple Referral to JHA then FIN (586-8480)

SB0906

RELATING TO PUBLIC FINANCIAL DISCLOSURE STATEMENTS. Senate President Mizuguchi (BR) (586-6870)

Establishes provisions relating to public financial disclosure statements. Provides that the financial disclosure statements shall be public records and available for inspection and duplication, for members of the board of regents, members of the board of land and natural resources, the board of agriculture and the Hawaiian homes commission. Provides that public financial disclosure statements need not report, where an amount is required to be reported, the actual dollar value of the financial interest or the dollar range of value. -- SB0906

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Single Referral to JHA (586-8480)

SB0913 SD1 (SSCR 857)

RELATING TO ELECTIONS BY MAIL. Senate President Mizuguchi (BR) (586-6870)

Allows federal, state, or county elections, other than regularly scheduled primary or general elections, to be conducted by mail, provided that the election is state or county wide. Provides that chief election officer shall determine whether a federal or state election other than a regularly scheduled primary or general election is conducted by mail or at a polling place and shall adopt rules to provide for the uniformity in the conduct of federal and statewide elections by mail. Allows the county clerk to determine whether a countywide election held other than on the date of a regularly scheduled primary or general election is conducted by mail or at a polling place. Provides that the county clerk shall supervise the election by mail in the county. -- SB0913 SD1

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Multiple Referral to JHA then FIN (586-8480)

SB0914

RELATING TO VOTE COUNT. Senate President Mizuguchi (BR) (586-6870)

Amends provisions relating to vote count. Provides that each contest or question on a ballot shall be counted independently, if a contest or question requires a majority of the votes for passage, any blank, spoiled or invalid ballot shall not be tallied for passage or as votes cast except that such ballots shall be counted as votes cast in ratification of a constitutional amendment or a question for a constitutional convention. -- SB0914

Feb-11 00 Passed Second Reading House

Feb-11 00 Referred to FIN (586-6200)

## SENATE BILLS WHICH PASSED THIRD READING

- SB0915 SD1 (SSCR 859) RELATING TO CANDIDATE VACANCIES. Senate President Mizuguchi (586-6870)  
Establishes provisions relating to candidate vacancies. Adds the name of the replacement candidate to be printed on the ballot, provided that the replacement candidate fills out an application for nomination papers and signs the proper certifications on the nomination paper and takes either the oath of affirmation or loyalty. -- SB0915 SD1  
Mar-11 99 Introduction/Passed First Reading - House  
Mar-11 99 Single Referral to JHA (586-8480)
- SB0924 RELATING TO OFFENSES AGAINST PUBLIC ADMINISTRATION. Senate President Mizuguchi (BR) (586-6870)  
Amends provision relating to promoting prison contraband in the 2nd degree. Provides that contraband means any article or thing other than a dangerous instrument or drug. -- SB0924  
Mar-11 99 Introduction/Passed First Reading - House  
Mar-11 99 Single Referral to PSM/ JHA/ (586-8490)
- SB0926 SD2 (SSCR 636) RELATING TO DRUG DEMAND REDUCTION ASSESSMENTS. Senate President Mizuguchi (BR) (586-6870)  
Amends Act 205, session laws of 1995, as amended by Act 7, session laws of 1996, as amended by Act 152, session laws of 1998, relating to drug demand reduction assessments special fund. Requires a person granted a deferred acceptance of guilty plea or no contest plea on drug charges to pay a monetary assessment. Establishes a 250 dollar fine for misdemeanor offenses. Amends provision relating the defendants ability to pay and court order to pay monetary assessment to the courts discretion. Appropriation to the department of health. (\$\$) -- SB0926 SD2  
Mar-11 99 Introduction/Passed First Reading - House  
Mar-11 99 Multiple Referral to JHA then FIN (586-8480)
- SB0931 SD1 HD1 (HSCR 1333) RELATING TO WIRETAPPING AND ELECTRONIC SURVEILLANCE. Senate President Mizuguchi (BR) (586-6870)  
Establishes wiretapping and electronic surveillance with federal law. Prohibits the intentional unlawful intercepting, attempting to intercept, or procurement of another person to intercept any wire, oral, or electronic communication. Prohibits any person from intentionally using or disclosing information obtained through the interception of a wire, oral, or electronic communication. -- Prohibits the manufacture, distribution, possession, and advertising of wire, oral, or electronic communication intercepting devices. Provides criteria. Provides exceptions. -- Provides that any unlawful wiretapping and electronic surveillance device shall be subject to seizure and forfeited. -- Prohibits intercepted wire or oral communication to be used as evidence. -- Authorizes judges to order the interception of a wire, oral, or electronic communication. Requires that the order be made in writing upon oath or affirmation to a designated judge. Allows the attorney general or prosecuting attorney of a county to obtain an order by a judge authorizing the interception, disclosure, and use of wire or oral communications by an investigative or law enforcement officer. Provides criteria. Requires an in camera adversary hearing on any interception application or application for extension. -- Requires that the attorney general, prosecuting attorney, or the issuing or denying judge of an order relating to the expiration, extension, or denial of an order approving interception shall submit to the administrative director of the courts reports related to intercepted wire, oral, and electronic communications and the number of resulting arrests and convictions. Provides criteria. Requires the attorney general and the county prosecutors to annually report to the administrative director of the courts, and the administrative director to report to the legislature in March of each year. -- Provides that any person whose wire, oral, or electronic communication is

## SENATE BILLS WHICH PASSED THIRD READING

intercepted may recover civil damages. -- Allows the attorney to obtain a restraining order, prohibition, or injunction against illegal interception. -- Establishes provision relating to unlawful access to stored communications services. Provides that a government entity may require, in its subpoena or court order that a service provider create a backup copy of the contents of the electronic communications. -- Provides for mobile tracking devices. Establishes provision relating to the issuance of orders for a pen register or a trap and trace device. Provides criteria. Prohibits the use or installation of a pen register or a trap and trace device without a court order. Requires the attorney general to record the number of pen register or trap and trace devices ordered, and annually report to the legislature. -- Amends provision relating to appeals taken by and on behalf of the state from the district or circuit courts to the supreme court, to include denied applications for orders of approval or authorization of the interception of a wire, oral, or electronic communication that have been denied. -- Repeals provision relating to electronic eavesdropping. -- SB0931 HD1  
Mar-25 99 Passed Second Reading House as amended (HD1)  
Mar-25 99 Referred to FIN (586-6200)

SB0959 SD2 (SSCR 811)

RELATING TO SPECIAL FACILITY REVENUE BONDS FOR AIRPORTS. Senator Taniguchi (586-6460)  
Amends the definition of special facility to include buildings, structures, or facilities for cargo facilities and operations. -- SB0959 SD2  
Mar-11 99 Introduction/Passed First Reading - House  
Mar-11 99 Multiple Referral to TRN then FIN (586-6180)

SB0970 SD1 HD1 (HSCR 1582)

RELATING TO BAIL BONDS. Senator Bunda (586-6090)  
Exempts bail bonds rates from insurance rate filing requirements. -- SB0970 HD1  
Apr-08 99 Senate Disagrees to House amendments  
Apr-19 99 Conference Committee: Senate Members: Taniguchi B, Kanno B, Chumbley A -- Hanabusa C, Slom S  
Apr-19 99 Conference Committee: House Members: Menor R -- Lee M, Thielen C

SB0973 SD1 (SSCR 285)

RELATING TO MOTOR VEHICLE TOWING. Senator Kawamoto (586-6970)  
Requires towing business vehicles to have motor vehicle insurance and that towing companies have insurance that covers damages that may occur to the towed motor vehicle while being towed and stored by the towing business. Requires all vehicles used for towing motor vehicles in furtherance of a towing business to have permanently affixed on each door of the towing vehicle a sign with the name and telephone number of the towing business. Provides that if a tow operator fails to comply with the insurance requirements no charges may be collected. Allows a person to sue for damages. Amends Act 138, session laws of 1998, increasing towing fees allowed by repealing the sunset date of July 1, 2000. -- SB0973 SD1  
Mar-11 99 Introduction/Passed First Reading - House  
Mar-11 99 Multiple Referral to TRN then CPC (586-6180)

SB0976 SD1 (SSCR 8)

RELATING TO THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM. Senator Kawamoto (586-6970)  
Establishes the construction industry branch under the research and economic analysis division of the department of business, economic development, and tourism to promote, market, and develop the construction industry in the State. Provides criteria. -- SB0976 SD1  
Mar-11 99 Introduction/Passed First Reading - House  
Mar-11 99 Multiple Referral to EDB then FIN (586-6530)

SB0984 SD1 HD1 (HSCR 1240)

RELATING TO GENERAL CASUALTY INSURANCE. Senator D. Ige



## SENATE BILLS WHICH PASSED THIRD READING

(586-6230)

Adds that general casualty insurance including insurance against any contract of warranty or guaranty may include towing and substitute transportation. -- SB0984 HD1

Mar-24 99 Passed Second Reading House as amended (HD1)

Mar-24 99 Referred to CPC (586-6150)

SB0992 SD2 HD2 (HSCR 1823)

MAKING AN APPROPRIATION FOR THE HANA COMMUNITY HEALTH CENTER.

Senator Chumbley (586-6030)

Appropriation to the department of health to enable Hana community health center to continue its operations through the current fiscal year and to allow the center to continue its current level of operations. (\$\$) -- SB0992 HD2

Apr=15 99 Senate Disagrees to House amendments

Apr-19 99 Conference Committee: House Members: Santiago A, Takamine D -- Kahikina M, Meyer C, Yamane B

Apr=19 99 Conference Committee: Senate Members: Chun Oakland S, Levin A -- Anderson W, Buen J

SB0994 SD2 HD3 (HSCR 1777)

RELATING TO DEPENDENT ADULT AND ELDER ABUSE. Senator Chun Oakland (586-6130)

Establishes the elder and dependent adult abuse review commission within the department of health. Requires the commission examine means to strengthen elder and dependent adult abuse laws and related administrative rules, review effectiveness of reporting and investigation of elder and dependant adult abuse cases, review the adequacy of provisions relating to elder and dependant adult protective services, conduct a comparative analysis of state statutes and administrative rules, make recommendations for statutory or administrative rule amendments, including but not limited to, formulating a multidisciplinary services system, standardize definitions and reporting procedures, mandatory education for health care workers, creating or increasing civil remedies, suggesting legislation concerning abuse, fraud or neglect of elder and dependant adults and establishing a system of interagency coordination including cooperation agreements. Report to the legislature. Commission to cease to exist on June 30, 2001 (sunset). Appropriation to the department of human services. (\$\$) -- SB0994 HD3

Apr=15 99 Senate Disagrees to House amendments

Apr-19 99 Conference Committee: House Members: Arakaki D, Hamakawa E, Yamane B -- Auwae E, Stegmaier D

Apr=19 99 Conference Committee: Senate Members: Chun Oakland S, Levin A -- Anderson W

SB1005 SD2 (SSCR 615)

RELATING TO PUBLIC CONTRACTS. Senator Tam (586-6450)

Amends provision relating to prompt payment by contractors to subcontractors.

Provides that contractors who fail to comply with laws requiring prompt payment of subcontractors in public contracts shall be fined and upon the 3rd offense ineligible to bid on future public contracts for 3 years. -- Provides that contractors that fail to pay a subcontractor may be permitted to submit bids on public contracts by submitting and complying with a subcontractor payment plan approved by the comptroller prior to submission of a bid. Requires the comptroller to adopt rules pursuant to administrative rules, as necessary. -- SB1005 SD2

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Multiple Referral to EDB then FIN (586-6530)

SB1006 SD1 (SSCR 493)

RELATING TO GOVERNMENT REGULATION OF GROUP LIVING HOUSING FACILITIES. Senator Tam (586-6450)

Authorizes the department of health to adopt rules necessary for the public

## SENATE BILLS WHICH PASSED THIRD READING

health and safety relating to privately operated group living facilities, private residences used for providing health. -- SB1006 SD1  
Mar-11 99 Introduction/Passed First Reading - House  
Mar-11 99 Multiple Referral to HSH then FIN (586-6050)

SB1017

RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS. Senate President Mizuguchi (BR) (586-6870)

Amends or repeals various provisions of the Hawaii revised statutes and the session laws of Hawaii for the purpose of correcting errors, clarifying language, correcting references, and deleting obsolete or unnecessary provisions. -- SB1017

Feb-16 99 Introduction/Passed First Reading - House

Feb-17 99 Single Referral to JHA (586-8480)

SB1022 SD2 (SSCR 838)

RELATING TO HEALTH-CARE DECISIONS. Senate President Mizuguchi (BR) (586-6870)

Repeals medical treatment decisions provisions and establishes the uniform health care decisions Act. Allows an adult or emancipated minor to execute a power of attorney for health care which may authorize the agent to make any health care decision the principal could have made while having capacity. Provides that unless otherwise specified in a power of attorney for health care, the authority of an agent becomes effective only upon a determination that the principal lacks capacity and ceases to be effective upon determination that the principal has recovered capacity. -- Provides that a health care provider or institution acting in good faith and in accordance with generally accepted health care standards applicable to the provider or institution shall not be subject to civil or criminal liability or to discipline for unprofessional conduct. -- Amends provisions relating to the durable power of attorney for health care decisions. Repeals the durable power of attorney sample form. -- SB1022 SD2

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Multiple Referral to HLT then JHA (586-6380)

SB1028 SD1 (SSCR 476)

RELATING TO VITAL RECORD FEES. Senate President Mizuguchi (BR) (586-6870)

Amends Act 216, session laws of 1997, relating to vital record fees, by repealing the sunset date. -- SB1028 SD1

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Multiple Referral to HLT then FIN (586-6380)

SB1031 SD2 (SSCR 769)

MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION. Senate President Mizuguchi (BR) (586-6870)

Appropriation to Hawaii health systems corporation to meet year 2000 (Y2K) compliance for systems and equipment, and to reduce workers' compensation costs. (\$\$) -- SB1031 SD2

Mar-22 99 Passed Second Reading House

Mar-22 99 Referred to FIN (586-6200)

SB1033 SD1 (SSCR 770)

MAKING AN EMERGENCY APPROPRIATION FOR THE CHILD AND ADOLESCENT MENTAL HEALTH DIVISION. Senate President Mizuguchi (BR) (586-6870)

Appropriation to the department of health for services provided to certain emotionally disturbed children and adolescents. (\$\$) -- SB1033 SD1

Mar-22 99 Passed Second Reading House

Mar-22 99 Referred to FIN (586-6200)

## SENATE BILLS WHICH PASSED THIRD READING

- SB1035 SD1 (SSCR 876) RELATING TO RETAIL LIQUOR SALES TO MINORS. Senate President Mizuguchi (BR) (586-6870)  
Allows any person between the ages of 18 and 20 years of age who is participating in a controlled purchase as part of a law enforcement activity or a study authorized by the department of health to determine the level of incidence of liquor sales to minors. -- SB1035 SD1  
Mar-11 99 Introduction/Passed First Reading - House  
Mar-11 99 Multiple Referral to HLT then JHA (586-6380)
- SB1042 SD1 HD1 (HSCR 1377) RELATING TO THE RECRUITMENT OF EMPLOYEES FOR STATE SERVICE. Senate President Mizuguchi (BR) (586-6870)  
Authorizes the director of human resources development to announce vacancies at a range of rates for professional and scientific positions and positions in the excluded managerial compensation plan. Provides criteria. -- SB1042 HD1  
Mar-25 99 Passed Second Reading House as amended (HD1)  
Mar-25 99 Referred to FIN (586-6200)
- SB1046 SD3 HD2 (HSCR 1791) RELATING TO THE CIVIL SERVICE SYSTEM FOR PUBLIC OFFICERS AND EMPLOYEES. Senate President Mizuguchi (BR) (586-6870)  
Requires the director of human resources development to establish partnerships with all stakeholders, including labor and management, and begin to design and effectuate a process to modernize the civil service system. Further requires the director to establish a task force. Provides that the director shall identify and work collaboratively with various stakeholders governed by civil service, compensation, public service, leaves of absence, hours of work, in service training programs, and incentive and service awards laws in order to draft replacement legislation if deemed necessary. Requires the director, with the consensus of the task force to establish a process for developing recommendations, and submit draft model legislation to a joint house and senate labor committee meeting on November 15, 1999. -- Requires the legislature to define the employment of persons in the civil service system, governed by the merit principle, effective June 29, 2000. -- Civil service, compensation, public service, leaves of absence, hours of work, in service training, incentive and service awards laws to be repealed on June 30, 2000 (sunset). -- SB1046 HD2  
Apr=15 99 Senate Disagrees to House amendments  
Apr=19 99 Conference Committee: Senate Members: Nakata B, Fukunaga C, Levin A -- Anderson W, Chun Oakland S, Kanno B, Taniguchi B  
Apr-22 99 Conference Committee: House Members: Yoshinaga T, Takamine D -- Catalani I, Goodenow K, Meyer C, Moses M, Nakasone B, Suzuki N
- SB1048 SD2 HD1 (HSCR 1350) RELATING TO FOSTER BOARDING HOMES. Senate President Mizuguchi (BR) (586-6870)  
Amends provisions relating to the department of human services by providing that criminal history record checks shall be made annually for the 1st 2 years of certification and annually or biennially thereafter, in conjunction with the certification schedule. Also adds that foster boarding home includes any boarding home in which 6 or more minor siblings are placed together in the best interest of the children for care and maintenance apart from their parents or guardians on a 24 hour basis for fee or charge. -- SB1048 HD1  
Apr=09 99 Senate Disagrees to House amendments  
Apr-19 99 Conference Committee: House Members: Arakaki D, Menor R, Kahikina M -- Halford C, Morita H, Stegmaier D  
Apr=19 99 Conference Committee: Senate Members: Chun Oakland S, Matsunaga M -- Anderson W, Iwase R, Levin A

## SENATE BILLS WHICH PASSED THIRD READING

SB1050 SD2 HD1 (HSCR 1327)

RELATING TO THE CHILD PROTECTIVE ACT. Senate President Mizuguchi (BR) (586-6870)

Amends provision relating to the child protective Act. Defines abandoned infant and redefines aggravated circumstances. Amends provision relating to service of summons. Provides that service to a party residing outside the state shall be made by registered or certified mail addressed to the last known address. -- Amends provision relating to disposition hearings. Changes the period that a child has been residing without a family home from 18 to 12 consecutive months. Provides that if the court determines aggravated circumstances are present, the court shall set the case for a show for cause hearing. Authorizes the court to set a show for cause or permanent plan hearing at any time determined appropriate. -- Amends provisions relating to review hearings. -- Provides that if the child has been residing outside the family home for a period of 12 months , or if the court determines aggravated circumstances are present, the court shall set the case for a show cause hearing at which the child's family shall present evidence to the court regarding the reasons and considerations as the family has to offer as to why the case should not be set for a permanent plan hearing. -- Provides that if the child has been residing outside of the family home for an aggregate period of 15 of the most recent 22 months, the department of human services shall file a motion to set the case for a permanent plan hearing, unless the department has documented in the safe family home guidelines a compelling reason why it would not be in the best interest of the child, or the state has not provided services deemed necessary for the safe return of the child to the family home. -- Amends provision relating to permanent plan hearing. Changes the reasonable period of time from the date the child was placed under foster custody from 3 to 2 years. -- SB1050 HD1

Apr=15 99 Senate Disagrees to House amendments

Apr-19 99 Conference Committee: House Members: Arakaki D, Oshiro P, Saiki S -- Lee M, Whalen P

Apr=19 99 Conference Committee: Senate Members: Chun Oakland S, Chumbley A -- Anderson W, Sakamoto N

SB1052 SD1 HD1 (HSCR 1229)

RELATING TO CHILD PROTECTIVE SERVICES. Senate President Mizuguchi (BR) (586-6870)

Amends provisions relating to child placing organizations, child caring institutions, and foster boarding homes. Provides that no foster boarding home shall receive for care and maintenance, any child unless it meets with the standards of conditions, management, and competence set by the department and the applicants successfully complete foster parent training. Requires persons providing special licensed or relative foster home care to successfully complete foster parent training within 1 year of the child's initial placement. -- Requires the department to inform the police department or the office of the prosecuting attorney, all reports of child abuse or neglect received by the department. Provides that the name of the reporter, who wishes to remain confidential, shall be made available to the police or office of the prosecuting attorney, pursuant to court order. -- Provides that a police officer shall assume protective custody of a child in the presence of imminent harm, or where there is evidence that a parent or guardian has subject the child to harm or threatened harm, and the parent or guardian is likely to flee the jurisdiction of the court with the child. -- Amends provisions relating to guardian ad litem and review hearings. Prohibits a guardian ad litem to be appointed to represent any child unless the guardian ad litem meets the standards and competence set by the department of commerce and consumer affairs, and has successfully completed guardian ad litem training or has equivalent experience, as determined by the court. -- Provides that if the child has been residing without the family home for a period of 12 months, the court is required (rather than allowed) to set the case for a show cause hearing at which the child's family

## SENATE BILLS WHICH PASSED THIRD READING

shall present evidence to the court regarding the reasons and considerations as the family has to offer as to why the case should not be set for a permanent plan hearing. -- Provides that if the child has been residing outside of the family home for an aof 15 of the most recent 22 months to set the case for a permanent plan hearing, unless the child is cared for by a relative, the department has documented in the safe family home guidelines a compelling reason why it would not be in the best interest of the child, or the state has not provided services deemed necessary for the safe return of the child to the family home. -- Amends Act 302, session laws of 1996, relating to the child protective and diversion services pilot project. Changes the membership of the child protective reform coordinating committee to be at least 13 members appointed by the director of human services instead of the governor. Allows the department of human services to share information with the neighborhood places. Extends the project to June 30, 2002 (sunset) and requires annual reports to the legislature. -- Requires the department of human services to establish a medical and health case management procedure to manage medical and health needs of children in the foster care system. -- SB1052 HD1  
Mar-23 99 Passed Second Reading House as amended (HD1)  
Mar-23 99 Referred to FIN (586-6200)

SB1053 RELATING TO PERSONAL CARE SERVICES PAYMENT. Senate President Mizuguchi (BR) (586-6870)  
Repeals provisions relating to personal care services to medical assistance recipients under the department of human services. -- SB1053  
Mar-23 99 Passed Second Reading House  
Apr-13 99 Re Committed to FIN (586-6200)

SB1054 RELATING TO THE SUNSET CLAUSE IN ACT 128, SESSION LAWS OF HAWAII 1997. Senate President Mizuguchi (BR) (586-6870)  
Amends Act 128, session laws of 1997, relating to public assistance, by repealing the sunset date. -- SB1054  
Mar-25 99 Passed Second Reading House  
Mar-25 99 Referred to JHA (586-8480)

SB1057 HD1 (HSCR 1778) RELATING TO THE STATE ADVISORY COUNCIL ON REHABILITATION. Senate President Mizuguchi (BR) (586-6870)  
Changes the name of the state advisory council on rehabilitation to the state rehabilitation council. Increases the membership to 21. Requires the council to consult with the state workforce development council and advise the vocational rehabilitation and services for the blind division of the department of human services. -- SB1057 HD1  
Apr=15 99 Senate Disagrees to House amendments  
Apr-19 99 Conference Committee: House Members: Arakaki D, Kawakami B -- Kahikina M, Pendleton D, Stegmaier D  
Apr=19 99 Conference Committee: Senate Members: Chun Oakland S, Nakata B -- Slom S

SB1058 SD2 HD1 (HSCR 1144) RELATING TO RECOVERY OF MEDICAL PAYMENTS. Senate President Mizuguchi (BR) (586-6870)  
Amends the department of human services provisions relating to the recovery of payments and cost of medical assistance to include the department's right to full reimbursement of the costs of medical assistance or burial payment as a subrogee of a claimant shall not be diminished by the recovery of any judgment, settlement, or award of an amount less than the value of the original or settled claim as perceived or calculated by the claimant or any other person. Requires the claimant, claimant's attorney, or claimant's heirs, representatives, or beneficiaries to give the department timely written notice of any claim or action against a 3rd person if an actual notice of right to reimbursement has been

## SENATE BILLS WHICH PASSED THIRD READING

received, or if there is a reason to believe that the claimant has received or is receiving medical assistance from the department. Provides that the department shall have a right to recover the full amount of the costs of medical assistance or burial payment made, if liability exists, or if the issue of 3rd party liability is settled or compromised without a finding of liability. Further provides that the department shall have a 1st lien in the full amount of the costs of medical assistance or burial payment made against the proceeds from all damages awarded in a suit or settlement. If a notice of lien is properly served to the claimant's attorney, the attorney shall pay the full amount of the lien, prior to the disbursing any proceeds to the attorney's client. If a notice of lien is properly served to the 3rd person, the 3rd person's agent, attorney, or insurance company, the person receiving the notice shall pay the full amount of the lien, prior to disbursing any proceeds to the claimant's attorney. If there is no action from the department after receiving timely written notice, the department shall determine its fair contribution toward attorney fees and costs based solely upon legitimate costs and services rendered by the claimant or claimant's attorney in recovering the lien amount. -- SB105 Apr=09 99 Senate Disagrees to House amendments

Apr-19 99 Conference Committee: House Members: Arakaki D, Oshiro P, Saiki S -- McDermott B, Stegmaier D

Apr=19 99 Conference Committee: Senate Members: Chun Oakland S, Matsunaga M, Levin A -- Anderson W

SB1061 SD1 (SSCR 36)

RELATING TO IRRIGATION WATER DEVELOPMENT. Senate President Mizuguchi (BR) (586-6870)

Amends provision relating to the administration of irrigation projects. Provides that acreage assessment be based upon cultivatable acres and excludes streams, dry gulches and noncultivable or unusable lands. Provides that the board of agriculture may set rules on minimum acreage assessment upon uncultivable or unusable lands. -- SB1061 SD1

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Multiple Referral to AGR then FIN (586-6010)

SB1063

RELATING TO AQUACULTURE. Senate President Mizuguchi (BR) (586-6870)

Repeals provision relating to aquaculture programs management and administration by the department of land and natural resources. -- SB1063

Mar-23 99 Passed Second Reading House

Mar-23 99 Referred to WLU (586-6110)

SB1070 SD2 HD1 (HSCR 1145)

RELATING TO THE HOUSING AND COMMUNITY DEVELOPMENT CORPORATION OF HAWAII. Senate President Mizuguchi (BR) (586-6870)

Amends provision relating to exception of current owners in housing and community development corporation of Hawaii projects. Changes provision by including household member. Amends definition of housing owner to include very low income, low income, or moderate income. Amends provision relating to definition of qualified tenant, to mean any single person or family that does not exceed the very low income limit. Amends provision relating to the relationship of annual payment to rental and income. Changes the requirement that the annual payment to any dwelling unit shall not exceed the amount by which the fair market rental for that unit to not exceed 30 per cent of the tenant's income. Provides that the 2nd priority shall be given to all other eligible persons who have an urgent housing need to need for housing. Allows the corporation to increase rent to 25 per cent on July 1, 1999 and 30 per cent on July 1, 2000. Appropriation to the housing and community development corporation of Hawaii. (\$\$) -- SB1070 HD1

Mar-18 99 Passed Second Reading House as amended (HD1)

Mar-18 99 Referred to FIN (586-6200)

## SENATE BILLS WHICH PASSED THIRD READING

- SB1072 SD1 HD1 (HSCR 1152) RELATING TO THE HAWAII CAPITAL LOAN PROGRAM. Senate President Mizuguchi (BR) (586-6870)  
Amends Act 311, session laws of 1996, relating to the capital loan program, by repealing the sunset date. Amends Act 104, session laws of 1998, relating to the Hawaii capital loan program, by repealing the sunset date. Amends Act 118, session laws of 1998, by repealing direct loans, terms, and restrictions provisions. -- SB1072 HD1  
Mar-19 99 Passed Second Reading House as amended (HD1)  
Mar-19 99 Referred to FIN (586-6200)
- SB1074 RELATING TO COMMUNITY DEVELOPMENT. Senate President Mizuguchi (BR) (586-6870)  
Amends provisions relating to community development by repealing the Hamakua community development district. -- SB1074  
Mar-19 99 Passed Second Reading House  
Mar-19 99 Referred to FIN (586-6200)
- SB1076 HD1 (HSCR 1349) RELATING TO INSURANCE PREMIUM TAXES. Senate President Mizuguchi (BR) (586-6870)  
Provides that the low income housing income tax credit shall be operative and may be claimed against insurance premium taxes. -- SB1076 HD1  
Mar-17 99 Passed Second Reading House  
Mar-25 99 Referred to FIN (586-6200)
- SB1088 SD1 HD1 (HSCR 1252) RELATING TO ENFORCEMENT. Senate President Mizuguchi (BR) (586-6870)  
Amends provision relating to forfeiture of property, search and seizure in the conservation and resources enforcement program. Provides that unless otherwise directed by the courts pursuant to the criminal forfeiture law, any item seized shall be ordered forfeited to the State for disposition as determined by the department of land and natural resources, or may be destroyed, or may be kept and retained and utilized by the department or any other state agency. Provides that any natural resource seized may be immediately returned to its natural environment or suitable habitat or may be disposed of as determined by the department. Provides that the department shall be liable to the owner for the fair market value of items disposed of if it was unlawfully seized. Authorizes the department to require the person or persons who took natural resources to sell seized items at fair market value and deliver proceeds of the sale. Provides criteria. -- Amends provision relating to criminal forfeiture, by including the seizure of perishable natural resources. -- SB1088 HD1  
Apr=15 99 Senate Disagrees to House amendments  
Apr-19 99 Conference Committee: House Members: Takumi R, Oshiro P -- Morita H, Schatz B, Thielen C  
Apr=19 99 Conference Committee: Senate Members: Inouye L, Matsunaga M -- Ige M, Ihara L, Slom S
- SB1089 SD1 HD1 (HSCR 1839) RELATING TO COMMERCIAL MARINE LICENSES. Senate President Mizuguchi (BR) (586-6870)  
Amends provision relating to commercial marine license. Prohibits a person to land marine life for commercial purposes, unless unprocessed fish are landed whole or headed and gutted, and frozen or on ice, whether the marine life is caught or taken within or outside of the State, without 1st obtaining a commercial marine license. -- SB1089 HD1  
Apr=15 99 Senate Disagrees to House amendments  
Apr-19 99 Conference Committee: House Members: Takumi R, Oshiro P, Schatz B -- Garcia N, Marumoto B  
Apr=20 99 Conference Committee: Senate Members: Inouye L -- Ige M, Kawamoto C, Slom S

## SENATE BILLS WHICH PASSED THIRD READING

- SB1095 HD1 (HSCR 554-00) RELATING TO HUNTING. Senate President Mizuguchi (BR) (586-6870)  
Amends Act 254, session laws of 1997, relating to allowing a person to carry and use any lawfully acquired pistol or revolver while engaged in hunting game mammals or traveling to or from the place of hunt. Extends sunset date to June 30, 2002 (sunset). -- SB1095 HD1  
Mar-17 99 Passed Second Reading House  
Mar-01 00 Referred to FIN (586-6200)
- SB1097 SD2 HD1 (HSCR 1179) RELATING TO TIMBER MANAGEMENT. Senate President Mizuguchi (BR) (586-6870)  
Amends provision relating to income from forest reserve. Provides that moneys from the harvest of non native forest products from any forest reserve or sale of tree seedlings from state nurseries be deposited in the forest stewardship fund. -- Provides that the stewardship program shall assist in developing education and training programs for sustainable forestry. Amends provision relating to the forest stewardship fund. Allows the board of land and natural resources to use the money to replant, manage and maintain designated timber areas, enhance the management of public forest reserves with emphasis on restoring degraded koa forests, and develop education and training programs. Amends provision relating to annual detailed report to the legislature and governor. -- SB1097 HD1  
Mar-22 99 Passed Second Reading House as amended (HD1)  
Mar-22 99 Referred to FIN (586-6200)
- SB1098 RELATING TO THE STATE WATER CODE. Senate President Mizuguchi (BR) (586-6870)  
Amends provisions relating to the Hawaii water plan and coordination of water resources. Amends provision relating to regulation of water use and designation of water management areas. Amends provision relating to investigations. Changes the report forms requirement from the department to the commission. Amends provision relating to ground water criteria. Amends provision relating to findings of fact, includes the county mayor in consultations. -- SB1098  
Mar-22 99 Passed Second Reading House  
Mar-22 99 Referred to JHA (586-8480)
- SB1107 RELATING TO THE ISSUANCE OF CERTIFICATES OF IDENTIFICATION. Senate President Mizuguchi (BR) (586-6870)  
Amends provision relating to information to be secured for civil identification. Requires the applicants right and left index fingerprints. -- SB1107  
Mar-11 99 Introduction/Passed First Reading - House  
Mar-11 99 Multiple Referral to JHA then FIN (586-8480)
- SB1109 SD1 (SSCR 202) RELATING TO NOTICE OF BREACH OR DEFAULT. Senate President Mizuguchi (BR) (586-6870)  
Amends provisions relating to notice of breach or default. Provides the board of land and natural resources shall give written notice of the breach or default by delivery, or by registered, or by certified mail to the party in default, making demands upon the party to cure or remedy the breach or default within 30 days from the date of receipt of the notice. Provides further that where the breach or default involves other than a failure to make timely rental payments and cannot be cured within a period to be determined by the board, a party who has diligently commenced and pursued the cure of the breach of default within 30 days shall have additional time to complete the cure of breach or default. Authorizes the board of land and natural resources and any party to provide notices to be provided by facsimile or other commercially accepted means of giving notice. -- SB1109 SD1  
Mar-25 99 Passed Second Reading House



## SENATE BILLS WHICH PASSED THIRD READING

Mar-25 99 Referred to FIN (586-6200)

SB1117 SD1 HD2 (HSCR 1825)

RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE. Senate President Mizuguchi (BR) (586-6870)

Amends provision relating to the application of the Hawaii public procurement code. Exempts grants and subsidies made by the State, contracts for purchases of health and human services. Repeals the exemption for the university of Hawaii departments and programs to procure goods and services from the university of Hawaii bookstores that are routinely stocked and marketed and not specifically ordered and to procure goods or services for the office of intercollegiate athletics of the university of Hawaii at Manoa intercollegiate athletics revolving fund. Amends the exemption for specific goods and services to specify those which are available from multiple sources but for which procurement by competitive means is either not practicable or not advantageous to the State. Adds exemptions for services of attorneys employed or retained to advise, represent, or provide any other legal service to the State or any of its agencies, on matters arising under laws of another state or foreign country, or in an action brought in such jurisdictions, when substantially all legal services are expected to be performed outside the State, and any goods or services that the policy board or the chief procurement officer determines to be not practical or not advantageous, by competitive means, to the State. -- SB1117 HD2

Apr=15 99 Senate Disagrees to House amendments

Apr-19 99 Conference Committee: House Members: Yoshinaga T, Nakasone B -- Kanoho E, Marumoto B, Suzuki N

Apr=19 99 Conference Committee: Senate Members: Tam R -- Anderson W, Levin A, Matsunaga M, Tanaka J

SB1120 SD1 (SSCR 902)

RELATING TO REPEAT OFFENDERS. Senate President Mizuguchi (BR) (586-6870)

Amends provision relating to the sentencing of repeat offenders. Provides that a person shall not be sentenced to a mandatory minimum period of imprisonment if the instant felony offense was committed within 25 years after a prior felony conviction for murder in the 1st or 2nd degree or attempted murder in the 1st or 2nd degree, or for a class A felony; within 15 years after a prior felony conviction for a class B felony; or within 10 years after a prior felony conviction for a class C felony offense. -- SB1120 SD1

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Single Referral to JHA (586-8480)

SB1132 HD1 (HSCR 1581)

RELATING TO THE INSURANCE CODE. Senate President Mizuguchi (BR) (586-6870)

Authorizes the insurance commissioner or an examiner authorized by the commissioner to conduct an examination of any captive insurance company as often as appropriate, but at least once every 3 years. -- SB1132 HD1

May=04 99 Re Committed to Conference Committee Senate

SB1134 SD1 HD1 (HSCR 1531)

RELATING TO REVERSE MORTGAGES. Senate President Mizuguchi (BR) (586-6870)

Establishes provision relating to reverse mortgage loans. Requires lenders to refer every borrower to counseling from an approved housing counseling agency, and receive certification that the borrower has received counseling. Provides criteria. Defines reverse mortgage loan. -- SB1134 HD1

Apr=07 99 Senate Disagrees to House amendments

Apr=19 99 Conference Committee: Senate Members: Kanno B, Taniguchi B -- Ihara L

Apr-19 99 Conference Committee: House Members: Menor R -- Garcia N, Whalen P

## SENATE BILLS WHICH PASSED THIRD READING

- SB1137 HD2 (HSCR 1837) RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND. Senate President Mizuguchi (BR) (586-6870)  
Amends provisions relating to the Hawaii public employees health fund, collective bargaining in public employment, and public officers and employees excluded from collective bargaining by adding that the total annual contributions made by the State to the Hawaii public employees health fund for health benefits shall not exceed 240 million dollars. -- SB1137 HD2  
Apr=15 99 Senate Disagrees to House amendments  
Apr-19 99 Conference Committee: House Members: Yoshinaga T, Suzuki N -- Marumoto B, Nakasone B, Okamura T  
Apr=19 99 Conference Committee: Senate Members: Kanno B, Taniguchi B, Fukunaga C, Levin A -- Slom S
- SB1138 SD1 HD1 (HSCR 1398) RELATING TO THE HAWAII PUBLIC BROADCASTING AUTHORITY. Senate President Mizuguchi (BR) (586-6870)  
Repeals the Hawaii public broadcasting authority on July 2, 2000 (sunset) and transfers records, equipment, licenses issued by the Federal Communications Commission, rights and obligations of the authority, and revolving fund to the Hawaii public television foundation. Provides that if the foundation dissolves or discontinues public broadcasting in Hawaii, the State shall have 1st right, at no cost to the State, to all the assets of Hawaii public television. -- SB1138 HD1  
Mar-25 99 Passed Second Reading House as amended (HD1)  
Mar-25 99 Referred to FIN (586-6200)
- SB1143 HD1 (HSCR 1667) RELATING TO CORPORATIONS. Senate President Mizuguchi (BR) (586-6870)  
Amends the Hawaii business corporation Act to enable a shareholder to authorize another person to act as a proxy. -- SB1143 HD1  
May=04 99 Re Committed to Conference Committee Senate
- SB1146 SD1 HD1 (HSCR 1376) RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED.  
Senate President Mizuguchi (BR) (586-6870)  
Amends provisions relating to individual claims resolution under the Hawaiian home lands trust. Extends the deadline for the preparation and transmittal of a final report on individual claims resolution under the Hawaiian home lands trust to the legislature and the governor to 2001 (from 1997). Extends the term of office of each member of the Hawaiian home lands trust individual claims review panel until December 31, 2001 (from 1999). Requires the panel to submit a final report to the governor and the legislature in 2001. Provides that claimants may file an action after October 1, 2001. Requires an aggrieved individual claimant to file a written notice with the panel no later than October 1, 2001 (from 1999), that the claimant does not accept the action taken by the legislature in regular session upon the claim. Provides for a limitation on actions unless the action is commenced by December 31, 2001 (from 1999). -- SB1146 HD1  
Mar-25 99 Passed Second Reading House as amended (HD1)  
Mar-25 99 Referred to FIN (586-6200)
- SB1150 SD2 HD1 (HSCR 1410) RELATING TO SAFETY. Senate President Mizuguchi (BR) (586-6870)  
Amends provisions relating to the boiler and elevator safety law. Changes the boiler and elevator inspection bureau to boiler and elevator inspection branch. -- Requires the department of labor and industrial relations to issue a permit to operate, for any boiler, pressure system, amusement ride, or elevator and kindred equipment if found to be safe, or immediately revoke if found to be in unsafe condition or if prior orders by the department to correct conditions are ignored. Repeals the certificate of inspection. -- Increases penalties for violation

## SENATE BILLS WHICH PASSED THIRD READING

from 1,000 dollars to 10,000 dollars. -- Amends Act 142, session laws of 1998, by adding the amendments made to provisions relating to the transfer from special funds for central service expenses shall not be repealed when it is reenacted pursuant to Act 216, session laws of 1997. -- SB1150 HD1  
Mar-25 99 Passed Second Reading House as amended (HD1)  
Mar-25 99 Referred to FIN (586-6200)

SB1151 SD1 HD1 (HSCR 1417)

RELATING TO CIVIL RIGHTS. Senate President Mizuguchi (BR) (586-6870)  
Amends provision relating to discrimination in real estate transactions. Prohibits in a real estate transaction from blockbusting for financial benefit related to race, sex, age, religion, color, ancestry, disability, age, familial status or HIV (human immunodeficiency virus). -- SB1151 HD1  
Apr=15 99 Senate Disagrees to House amendments  
Apr-19 99 Conference Committee: House Members: Yoshinaga T, Oshiro P -- Auwae E, Chang J, Nakasone B  
Apr=19 99 Conference Committee: Senate Members: Chumbley A, Matsunaga M -- Chun Oakland S, Ihara L

SB1152 HD1 (HSCR 1379)

RELATING TO THE OCCUPATIONAL SAFETY AND HEALTH TRAINING AND ASSISTANCE FUND. Senate President Mizuguchi (BR) (586-6870)  
Amends provisions relating to the occupational safety and health training and assistance fund by including certification programs to enhance safety and health, that the funds may be used for. -- Amends Act 130, session laws of 1994, as amended by Act 12, special session of 1995, by extending the repeal date to July 1, 2003 (sunset). -- SB1152 HD1  
Mar-25 99 Passed Second Reading House as amended (HD1)  
Mar-25 99 Referred to FIN (586-6200)

SB1153 HD1 (HSCR 1380)

RELATING TO THE EMPLOYMENT AND TRAINING FUND PROGRAM. Senate President Mizuguchi (BR) (586-6870)  
Amends provisions relating to employment and training fund. Allows the department of labor and industrial relations to provide grants and subsidies to contract for employment, education, and training services from public and private agencies and nonprofit corporations. Provides that the contracts shall be exempt from the Hawaii public procurement code and purchase of health and human services laws. -- SB1153 HD1  
Mar-25 99 Passed Second Reading House as amended (HD1)  
Mar-25 99 Referred to FIN (586-6200)

SB1154

RELATING TO THE LIBRARY ENHANCED SERVICES PROGRAM. Senate President Mizuguchi (BR) (586-6870)  
Amends Act 327, session laws of 1993, as amended by Act 144, session laws of 1996, relating to fees for enhanced library services program by extending the sunset date to July 1, 2002. -- SB1154  
Mar-22 99 Passed Second Reading House  
Mar-22 99 Referred to FIN (586-6200)

SB1156 SD2 HD1 (HSCR 1156)

RELATING TO COST-RECOVERY FEES FOR DELINQUENT LIBRARY ACCOUNTS. Senate President Mizuguchi (BR) (586-6870)  
Allows the board of education to charge and add a fee to any amount due in accordance with its duties and powers with respect to libraries, for cost or expenses incurred to enforce the collection or costs of lost books and overdue fines, seminars or workshops, and research and reference materials. Fees deposited into the libraries special fund. -- SB1156 HD1  
Apr=09 99 Senate Disagrees to House amendments  
Apr-19 99 Conference Committee: House Members: Ito K, Kawakami B -- Ahu Isa L, Leong B, Takai K  
Apr=19 99 Conference Committee: Senate Members: Ige D, Fukunaga C, Levin

## SENATE BILLS WHICH PASSED THIRD READING

A -- Bunda R, Slom S

- SB1159 SD1 HD1 (HSCR 1284) RELATING TO CRIME VICTIM COMPENSATION. Senate President Mizuguchi (BR) (586-6870)  
Requires moneys from the criminal injuries compensation fund to be used for compensation payments, operating expenses, salaries of positions as authorized by the legislature, and collection of fees. Requires the commission to appoint an administrator exempt from civil service and compensation provisions. -- SB1159 HD1  
Mar-25 99 Passed Second Reading House as amended (HD1)  
Mar-25 99 Referred to FIN (586-6200)
- SB1168 SD1 HD2 (HSCR 1335) RELATING TO COMMERCIAL DRIVER LICENSING. Senate President Mizuguchi (BR) (586-6870)  
Allows the examiners of drivers to waive the knowledge and skills test for any person who is at least 21 years of age and who possesses a valid commercial driver's license issued by any state of the US or province of the Dominion of Canada. -- SB1168 HD2  
Mar-18 99 Passed Second Reading House as amended (HD1)  
Mar-25 99 Referred to FIN (586-6200)
- SB1176 SD1 (SSCR 773) RELATING TO THE GENERAL EXCISE TAX LICENSING OF SINGLE-MEMBER LIMITED LIABILITY COMPANIES. Senate President Mizuguchi (BR) (586-6870)  
Provides that in the case of a single member limited liability company, for income tax purposes, has no registration or filing requirements separate and apart from the member, is subject to the requirement that all items of income, deduction, and credit are to be reported by the member, is an entity that is disregarded as an entity separate from the member, and has a member that is an individual, and no licensing, registration, or filing requirements under general excise tax provisions shall apply. Requires the member to be licensed and to pay the appropriate general excise tax on the gross income derived by the company. -- SB1176 SD1  
Mar-11 99 Introduction/Passed First Reading - House  
Mar-11 99 Multiple Referral to EDB then FIN (586-6530)
- SB1181 SD2 HD1 (HSCR 1174) RELATING TO LEGAL REPRESENTATION FOR THE UNIVERSITY OF HAWAII.  
Senate President Mizuguchi (BR) (586-6870)  
Allows the board of regents of the university of Hawaii to request and secure legal services from the attorney general and the department of the attorney general for the university, for the board, or its members, or for the university's officers and employees, upon mutual agreement. Provides that nothing shall preclude the board from requesting and securing legislative money to fund the settlement of any claim or judgment against the university, its regents, officers, or agents. -- SB1181 HD1  
Mar-22 99 Passed Second Reading House as amended (HD1)  
Mar-22 99 Referred to FIN (586-6200)
- SB1183 SD1 (SSCR 814) MAKING EMERGENCY APPROPRIATIONS FOR THE UNIVERSITY OF HAWAII.  
Senate President Mizuguchi (BR) (586-6870)  
Appropriation to the university of Hawaii for the budgetary shortfall resulting from the transfer of fiscal year 1997 - 1998 encumbrances to fiscal year 1998 - 1999 which was necessitated by having to pay its faculty members on June 30, 1998 instead of July 1, 1998. (\$\$) -- SB1183 SD1  
Mar-24 99 Passed Second Reading House  
Mar-24 99 Referred to FIN (586-6200)

## SENATE BILLS WHICH PASSED THIRD READING

- SB1184 SD1 HD1 (HSCR 1218) RELATING TO MANAGEMENT OF FINANCING AGREEMENTS FOR THE UNIVERSITY OF HAWAII. Senate President Mizuguchi (BR) (586-6870)  
Amends provisions relating to the management of financing agreements. Allows the board of regents of the university of Hawaii to enter into a financing agreement without the approval of the director of finance and of the attorney general as to form and legality if the principal amount of the financing agreement does not exceed 3 million dollars. -- SB1184 HD1  
Mar-23 99 Passed Second Reading House as amended (HD1)  
Mar-23 99 Referred to FIN (586-6200)
- SB1185 SD2 HD1 (HSCR 1336) RELATING TO THE STATE AQUARIUM. Senate President Mizuguchi (BR) (586-6870)  
Amends Act 184, session laws of 1995, as amended by Act 187, session laws of 1997, relating to the state aquarium transition, by repealing the deadline to end the current management arrangements with the research corporation of the university of Hawaii (RCUH) and the university of Hawaii foundation and for a new management arrangement to be approved by the board of regents. -- SB1185 HD1  
Mar-25 99 Passed Second Reading House as amended (HD1)  
Mar-25 99 Referred to FIN (586-6200)
- SB1212 SD2 HD1 (HSCR 1710) RELATING TO USE OF INTOXICANTS. Senator Kawamoto (586-6970)  
Amends ocean recreation and coastal areas programs law by establishing the offense of operating a vessel underway under the influence of drugs. Provides penalties for 1st, 2nd, and 3rd offenses. Changes the penalties for the offense of operating a vessel underway under the influence of intoxicating liquor and driving under the influence of drugs. -- SB1212 HD1  
Apr=15 99 Senate Disagrees to House amendments  
Apr-19 99 Conference Committee: House Members: Hiraki K, Oshiro P -- Chang J, Takai K, Whalen P  
Apr=19 99 Conference Committee: Senate Members: Kawamoto C, Chumbley A -- Bunda R, Iwase R, Sakamoto N, Slom S
- SB1214 RELATING TO THE HAWAII MARITIME AUTHORITY. Senator Kawamoto (586-6970)  
Amends Act 183, session laws of 1998, by requiring the temporary maritime authority commission to submit its final report to the legislature no later than December 20, 1999. Requires report to include the commission's recommendations and shall include all necessary proposed legislation to statutorily create the Hawaii maritime authority for the legislature's action in the regular session of 2000. Requires the commission to be dissolved upon the adjournment, sine die, of the regular session of 2000 (sunset). -- SB1214  
Mar-22 99 Passed Second Reading House  
Mar-22 99 Referred to FIN (586-6200)
- SB1231 SD3 HD2 (HSCR 1415) RELATING TO SMOKING IN THE WORKPLACE. Senator Chun Oakland (586-6130)  
Prohibits smoking in all enclosed areas of public workplaces including state and county owned, leased, or controlled workplaces and motor vehicles. Exempts dining areas of food service establishments and bars, meeting or banquet rooms in hotels and motels or other lodging establishments when used for private functions, convention center facilities when used for private functions, guest rooms of a hotel / hotel condo, and involuntarily confined residents of state or county institutions. Provides that these provisions shall not apply to employees who are covered by an existing collective bargaining agreement or employee agreement until completion of that agreement. Exempts workplaces located in private residences from regulation. -- Allows county authority to

## SENATE BILLS WHICH PASSED THIRD READING

impose stricter or more stringent requirements with respect to prohibiting smoking in the workplace. -- Amends the definition of enclosed and office workplace and repeals the definition of simple majority. -- Requires the mayor of each county to enforce provisions in the county workplace. -- Repeals provisions relating to regulation of smoking in the office workplace. -- SB1231 HD2

Mar-22 99 Passed Second Reading House as amended (HD1)

Mar-25 99 Referred to JHA (586-8480)

SB1234 SD1 (SSCR 713)

RELATING TO INSURERS. Senator Hanabusa (586-7793)

Establishes conflict of interest of provision for insurance. Requires that when a conflict of interest arises between an insurer and its insured, the insurer shall inform the insured of the conflict and provide the insured with independent legal counsel. -- SB1234 SD1

Mar-11 99 Introduction/Passed First Reading - House

Mar-22 99 Single Re referral to CPC/ JHA/ (586-6150)

SB1235 SD1 HD1 CD1 (CCR 115)

RELATING TO CONSUMER PROTECTION. Senator Kanno (586-6830)

Establishes a temporary 2 year governor's task force on alternative medicine to examine the various forms of alternative medicine and ways to stimulate its growth. Report to the legislature and the governor. Task force to cease to exist on the adjournment of the regular session of 2001 (sunset). -- SB1235 CD1

May-04 99 Passed Senate Final Reading

May-04 99 Re Committed to Conference Committee House

SB1242 SD1 (SSCR 2782)

RELATING TO THE LEGISLATURE. Senator Fukunaga (586-6890)

Establishes provisions relating to new special, revolving, or trust funds and trust accounts. Provides that within 5 days after the deadline for the introduction of bills in each regular legislative session, the clerks of each house shall transmit to the legislative analyst for analysis, copies of all legislative bills that were introduced in their respective houses during session, proposing to establish new special or revolving, or trust funds or trust accounts. Provides criteria to be used by the legislative analyst in analyzing each legislative bill. Requires each analysis to set forth the probable effects of the proposed fund and to assess alternative forms of funding. Report to the legislature. Requires the legislative analyst to focus on departmental outcomes as measured by tangible performance audits; leverage resources to stretch public dollars such as public private partnerships and joint state county projects; purchase more services in a cost effective manner; reduce or eliminate unnecessary procedures and red tape to streamline government services, combined with increased flexibility for departments and agencies willing to try new approaches. Repeals provisions relating to new special or revolving funds from the responsibility of the legislative auditor. Appropriation to the office of the auditor. Appropriation to the legislature for the council of state government dues. (\$\$) -- SB1242 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to LMG then FIN (586-6270)

SB1245 SD1 (SSCR 689)

RELATING TO THE INCOME TAXATION. Senator Tam (586-6450)

Provides that section 274 (with respect to disallowance of certain entertainment expenses) of the Federal Internal Revenue Code shall be operative except that a deduction for club dues and 100 per cent of meal and entertainment expenses shall be allowed. -- SB1245 SD1

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Multiple Referral to EDB then FIN (586-6530)

SB1250 SD1 HD1 (HSCR 1320)

RELATING TO SCHOOL BUSES. Senator D. Ige (586-6230)

Provides that nothing in the section that allows the department of transportation to grant exemptions for the use of vehicles other than school vehicles shall

## SENATE BILLS WHICH PASSED THIRD READING

prohibit the use of tour buses solely for the transportation of high school student groups to and from school related events or activities. Defines tour bus. Act to be repealed on July 1, 2002 (sunset). -- SB1250 HD1  
Mar-25 99 Passed Second Reading House as amended (HD1)  
Mar-25 99 Referred to FIN (586-6200)

SB1251

RELATING TO EDUCATION. Senator D. Ige (586-6230)  
Provides that all interest income generated by moneys in the state educational facilities improvement special fund shall be maintained in the special fund to be used solely for education technology. -- SB1251  
Mar-25 99 Passed Second Reading House  
Mar-25 99 Referred to FIN (586-6200)

SB1254 SD1 (SSCR 904)

RELATING TO STATUTE OF LIMITATIONS. Senator Levin (586-6760)  
Amends provision relating to penal code time limitations. Changes the statute of limitations for prosecution to include any attempted, criminal conspiracy to commit and criminal solicitation to commit a class A felony, any class B or C felonies. -- SB1254 SD1  
Mar-11 99 Introduction/Passed First Reading - House  
Mar-11 99 Single Referral to JHA (586-8480)

SB1256 SD2 HD1 CD1 (CCR 102)

RELATING TO AN INTERISLAND FERRY SYSTEM. Senator Buen (586-7340)  
Appropriation to the department of transportation, out of the harbor special fund, to match federal funds from the Federal Transit Administration to establish an interisland ferry system between the islands of Maui and Molokai. (\$\$) -- SB1256 CD1  
May-04 99 Passed Senate Final Reading  
May-04 99 Re Committed to Conference Committee House

SB1269 SD2 (SSCR 784)

MAKING EMERGENCY APPROPRIATIONS FOR EDUCATION. Senate President Mizuguchi (BR) (586-6870)  
Appropriation to the department of education for school based budgeting (EDN 100), instructional support (EDN 200), state and district administration (EDN 300), school support (EDN 400), and school community service (EDN 500). (\$\$) -- SB1269 SD2  
Mar-22 99 Passed Second Reading House  
Mar-22 99 Referred to FIN (586-6200)

SB1271 SD2 (SSCR 752)

RELATING TO EDUCATION. Senate President Mizuguchi (BR) (586-6870)  
Changes the summer school and intersession programs and funds to the out of school time instructional programs and funds. Amends Act 216, session laws of 1997, and Act 142, session laws of 1998, to ensure that these changes are retained. -- SB1271 SD2  
Mar-25 99 Passed Second Reading House  
Mar-25 99 Referred to FIN (586-6200)

SB1272 SD2 HD1 (HSCR 1357)

RELATING TO SCHOOL ATTENDANCE. Senate President Mizuguchi (BR) (586-6870)  
Amends the age requirement for a child to attend kindergarten to be at least 5 years of age as more specifically determined by the board of education and provides that no child shall attend school unless the child will be at least 6 years of age as more specifically determined by the board. Requires the board with the assistance of the department of education to plan and develop rules for the starting age of children entering kindergarten and the 1st grade. Requires the board to implement the plan beginning in the 2000 - 2001 school year. Report to the legislature and governor. -- SB1272 HD1  
Mar-25 99 Passed Second Reading House as amended (HD1)  
Mar-25 99 Referred to FIN (586-6200)

## SENATE BILLS WHICH PASSED THIRD READING

- SB1273 SD2 (SSCR 891) RELATING TO CRIMINAL HISTORY CHECKS FOR TEACHER TRAINEES. Senate President Mizuguchi (BR) (586-6870)  
Amends provision relating to criminal history checks to include checks on persons who are seeking to serve as teacher trainees in any public or private schools, or who are employed or seeking employment in any county position placing them in close proximity to children. Authorizes the employer or prospective employer to refuse to allow or continue to allow permission to serve under training any person convicted of a crime or poses a risk to the health, safety, or well being of children. -- SB1273 SD2  
Mar-18 99 Passed Second Reading House  
Mar-18 99 Referred to JHA (586-8480)
- SB1275 SD1 HD2 (HSCR 490-00) RELATING TO CIVIL SERVICE EXEMPTIONS. Senate President Mizuguchi (BR) (586-6870)  
Amends the civil service law by exempting employees in the department of education engaged in the supervision of students during meal periods and in the distribution, collection, and counting of meal tickets. -- SB1275 HD2  
Mar-22 99 Passed Second Reading House as amended (HD1)  
Feb-22 00 Referred to FIN (586-6200)
- SB1276 SD1 HD2 (HSCR 1820) RELATING TO THE SUPERINTENDENT OF EDUCATION. Senate President Mizuguchi (BR) (586-6870)  
Allows the superintendent of education to receive additional compensation from private sources. -- SB1276 HD2  
Apr=15 99 Senate Disagrees to House amendments  
Apr-19 99 Conference Committee: House Members: Ito K, Saiki S -- Leong B, Morihara D  
Apr=19 99 Conference Committee: Senate Members: Ige D, Fukunaga C, Levin A -- Sakamoto N, Slom S
- SB1281 SD2 HD1 (HSCR 1314) RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM. Senate President Mizuguchi (BR) (586-6870)  
Amends the public employees' retirement system to require the board of trustees to appoint, by a majority vote of its members, an assistant administrator and a chief investment officer. Requires the attorney general to serve as legal adviser to the board of trustees. Repeals the option for an appointed representative to serve as legal adviser or for the board to select its own legal counsel. -- SB1281 HD1  
Mar-25 99 Passed Second Reading House as amended (HD1)  
Mar-25 99 Referred to FIN (586-6200)
- SB1284 SD2 HD1 (HSCR 1185) MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS. Senate President Mizuguchi (BR) (586-6870)  
Appropriation for negotiated collective bargaining cost items for: public employees in collective bargaining unit 1 (nonsupervisory blue collar employees) and for state officers and employees excluded from collective bargaining, retroactive to 1995; public employees in collective bargaining unit 2 (supervisory blue collar employees), retroactive to 1997; public employees in collective bargaining unit 3 (nonsupervisory white collar employees) and for state officers and employees excluded from collective bargaining, retroactive to 1997; public employees in collective bargaining unit 4 (supervisory white collar employees) and for state officers and employees excluded from collective bargaining, retroactive to 1997; public employees in collective bargaining unit 6 (educational officers and other personnel of the department of education) and for state officers and employees excluded from collective bargaining, retroactive to 1997; public employees in collective bargaining unit 8 (personnel of the university of Hawaii and community college system) and for state officers and



## SENATE BILLS WHICH PASSED THIRD READING

employees excluded from collective bargaining, retroactive to 1997; public employees in collective bargaining unit 9 (registered professional nurses) and for state officers and employees excluded from collective bargaining, retroactive to 1997; public employees in collective bargaining unit 10 (nonprofessional hospital and institutional workers) and for state officers and employees excluded from collective bargaining, retroactive to 1995; public employees in collective bargaining unit 13 (other professional and scientific employees) and for state officers and employees excluded from collective bargaining, retroactive to 1997; and for state officers and employees of the office of the auditor, ethics commission, legislative reference bureau, and ombudsman. (\$\$) -- SB1284 HD1

Mar-22 99 Passed Second Reading House as amended (HD1)

Mar-22 99 Referred to FIN (586-6200)

SB1288 SD1 HD1 (HSCR 1381)

RELATING TO THE PUBLIC EMPLOYEES HEALTH FUND. Senate President Mizuguchi (BR) (586-6870)

Amends provision relating to determination of health benefits plan, contract with carriers, by allowing board of trustees to determine more than 1 plan. -- SB1288 HD1

Mar-25 99 Passed Second Reading House as amended (HD1)

Mar-25 99 Referred to FIN (586-6200)

SB1290 SD1 HD1 (HSCR 1312)

RELATING TO HEALTH BENEFITS FOR PART-TIME, TEMPORARY, AND SEASONAL OR CASUAL EMPLOYEES. Senate President Mizuguchi (BR) (586-6870)

Establishes provision relating to state health benefits by requiring the board of trustees to offer medical, hospital, and surgical benefits plans, after September 1, 2000 to part time, temporary, and seasonal or casual employees, at no cost to the employer and excluded from the minimum group requirements of accident and sickness insurance. Allows the board to contract for health benefits plans, as provided by the following plans, an indemnity benefit plan, a service benefit plan, a health maintenance organization plan (HMO) and a noninsured schedule of benefits. Allows that benefits provided under each respective plan to be equally available to all part time, temporary and seasonal or casual employees, regardless of age, and for each employee that enrolled for health benefits shall pay a monthly contributions directly to the board's designated carrier. -- SB1290 HD1

Mar-25 99 Passed Second Reading House as amended (HD1)

Mar-25 99 Referred to FIN (586-6200)

SB1299 SD2 (SSCR 667)

RELATING TO PROGRAM EXECUTION. Senate President Mizuguchi (BR) (586-6870)

Repeals provision requiring the university of Hawaii to account for each transfer implemented under program execution provisions to reports to the legislature and the governor. -- SB1299 SD2

Mar-22 99 Passed Second Reading House

Mar-22 99 Referred to FIN (586-6200)

SB1300 SD1 HD2 (HSCR 1780)

MAKING AN EMERGENCY APPROPRIATION TO PAY THE SHARE OF HEALTH INSURANCE CARRIER REFUND AND RATE CREDIT AMOUNTS DUE TO THE FEDERAL GOVERNMENT. Senate President Mizuguchi (BR) (586-6870)

Appropriation to the department of budget and finance for the return to the federal government of the federal share of health insurance rate credits and rebates received by the State. (\$\$) -- SB1300 HD2

Apr=15 99 Senate Disagrees to House amendments

Apr-19 99 Conference Committee: House Members: Yoshinaga T, Catalani I -- Meyer C, Nakasone B, Takai K

## SENATE BILLS WHICH PASSED THIRD READING

Apr=19 99 Conference Committee: Senate Members: Fukunaga C, Levin A -- Anderson W, Taniguchi B

SB1303 SD2 (SSCR 815)

RELATING TO THE REVIEW OF THE SALARIES OF THE TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS. Senate President Mizuguchi (BR) (586-6870)

Amends provisions to relating to the salary commission for the members of the board of trustees for the office of Hawaiian affairs. Provides that the salary commission shall consist of 7 members appointed from nominations submitted by native Hawaiian organizations and selected by the governor on or before November 30, 1998. Further provides that before the 40th legislative day of the regular session of 1999 and every 4 years thereafter, the salary commission shall study and make recommendations for the salary of the members of the board of trustees for the office of Hawaiian affairs. Requires the governor to appoint a salary review commission and report to the legislature. -- SB1303 SD2

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Multiple Referral to JHA then FIN (586-8480)

SB1314 SD2 HD1 (HSCR 1384)

RELATING TO RETIREMENT BENEFITS FOR TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS. Senate President Mizuguchi (BR) (586-6870)

Establishes provision relating to the public employee retirement system. Allows a member or former member of the board of trustees of the office of Hawaiian affairs trustee be entitled to claim full membership service credit as a class A member of the employee's retirement system for service as a trustee on July 1, 1999. Amends provision relating to contributions by certain state agencies, by including the office of Hawaiian affairs. Provides that all reimbursements shall be paid from revenue under public land trust proceeds. -- SB1314 HD1

Mar-25 99 Passed Second Reading House as amended (HD1)

Mar-25 99 Referred to JHA (586-8480)

SB1320 SD2 (SSCR 868)

RELATING TO YEAR 2000 ERRORS BY COMPUTER-BASED SYSTEMS.

Senate President Mizuguchi (BR) (586-6870)

Establishes the year 2000 (Y2K) errors in computer based systems law.

Provides that the a year 2000 error is the failure of a computer based system to accurately store, display, transmit, receive, process, calculate, compare or sequence date and time data from, or between the years 1999 and 2000 and beyond and leap year calculations, and a computer based system includes any computer or other information technology system, and any electronic device that controls, operates, monitors, assists in the operation or functioning of equipment, machinery, plant, or a device using an embedded or installed microprocessor or chip. Prohibits punitive or exemplary damages and statutory minimum or treble damages to be awarded under any theory of recovery, including contract and tort law, for claims arising out of a year 2000 error unless the error was intentionally created, the respondent had entered into an agreement to discover or remedy errors with the intent to defraud the claimant, or the damage or injury was caused by the dissemination of corrupted data to recipients. Provides definitions. Repeals provisions on December 31, 2003 (sunset). -- SB1320 SD2

Mar-11 99 Introduction/Passed First Reading - House

Mar-16 99 Multiple Re referral to JHA/ CPC/ then FIN (586-8480)

SB1345 SD2 HD2 (HSCR 32-00)

RELATING TO EMPLOYMENT COMPENSATION IN THE JUDICIARY.

Senate President Mizuguchi (BR) (586-6870)

Increases the salaries effective July 1, 1999, for the chief justice of the supreme court; each associate justice of the supreme court; the chief judge of the intermediate appellate court; each associate judge of the intermediate appellate court; each circuit court judge of the various circuit courts; and each district

## SENATE BILLS WHICH PASSED THIRD READING

court judge of the various district courts. Provides for additional salaries increase effective July 1, 2000. -- SB1345 HD2  
Feb-10 00 Received by the Governor  
Feb-16 00 Approved by Governor (Act 2 2000)

SB1371 SD2 (SSCR 714)

RELATING TO MOTOR VEHICLES. Senate President Mizuguchi (BR) (586-6870)  
Allows any police officer whose responsibility is to conduct vehicle theft investigations to inspect the premises of a motor vehicle repair dealer required to be registered. -- SB1371 SD2  
Mar-11 99 Introduction/Passed First Reading - House  
Mar-11 99 Single Referral to JHA/ CPC/ (586-8480)

SB1379 SD2 HD1 (HSCR 1509)

RELATING TO CRIMINAL ASSAULTS AND RELATED OFFENSES. Senate President Mizuguchi (BR) (586-6870)  
Establishes provisions relating to assault against a police officer in the 1st degree. Provides that assault against a police officer is committed when a person intentionally or knowingly causes physical injury to a police officer engaged in the performance of duty. Requires the assault to be a class C felony. Amends provision relating to assault against a police officer in the 2nd degree. Provides that assault against a police officer is committed when a person intentionally, knowingly, recklessly, or negligently with a dangerous instrument causes physical pain to a police officer engaged in the performance of duty. -- SB1379 HD1  
Apr=07 99 Senate Disagrees to House amendments  
Apr-19 99 Conference Committee: House Members: Oshiro P -- Hamakawa E, Kaho'ohalahala S, Lee M, Whalen P  
Apr=19 99 Conference Committee: Senate Members: Kawamoto C, Matsunaga M -- Bunda R, Iwase R, Slom S

SB1390 SD2 (SSCR 2627)

RELATING TO TRAFFIC VIOLATIONS. Senate President Mizuguchi (BR) (586-6870)  
Amends reckless driving of a vehicle or riding of animals to include the disregard of other persons or the person's self. Also adds that reckless driving of a vehicle shall include committing an act or series of acts within a distance of 2 miles that would constitute 2 or more traffic violations. Also provides that a conviction and sentence for reckless driving or reckless riding of an animal shall not preclude a conviction for another traffic violation arising out of the same course of action. -- SB1390 SD2  
Mar-09 00 Introduction/Passed First Reading - House

SB1404 SD1 HD1 (HSCR 1344)

RELATING TO WASTEWATER REUSE. Senate President Mizuguchi (BR) (586-6870)  
Amends water pollution provisions to include the definitions of recycled water and reclaimed water to mean treated wastewater that by design is intended or used for a beneficial purpose. Requires the director of health to give priority to adopting rules that will encourage the voluntary reuse of water and establish the definition and requirements of different categories of recycled water and reclaimed water, as well as recognize different levels of treatment and purpose. -- SB1404 HD1  
Mar-25 99 Passed Second Reading House as amended (HD1)  
Mar-25 99 Referred to FIN (586-6200)

SB1427 SD1 (SSCR 2770)

RELATING TO AQUACULTURE. Senator Bunda (586-6090)  
Provides that for general excise tax purposes wholesale service means the sale to a licensed aquaculture producer, cooperative or not for profit association, of land, infrastructure, equipment, or for sale of materials, supplies, or commodities used by the licensed producer, cooperative, or not for profit

## SENATE BILLS WHICH PASSED THIRD READING

association in the production of aquaculture products for sale. -- SB1427 SD1  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to AGR/ OMR/ then EDB then FIN (586-6010)

SB1429 SD1 HD1 (HSCR 1345)

RELATING TO WASTEWATER TREATMENT FACILITIES. Senator Chun (586-7344)

Adds that a public utility does not include any person who owns, controls, operates, or manages a facility for the reclamation of wastewater if the services are provided pursuant to a service agreement between the person and a state or county agency and at least 10 per cent of the wastewater processed is used directly by the state or county which has entered into the service contract, the primary function is to process secondary treated wastewater that has been produced by a facility owned by a state or county agency, the facility shall not distribute or make direct sales of water to residential customers, the facility may distribute and sell processed wastewater to entities not covered by state or county service contract, and the facility shall not be engaged in the processing of food wastes, directly or indirectly. -- SB1429 HD1

Mar-25 99 Passed Second Reading House as amended (HD1)

Mar-25 99 Referred to FIN (586-6200)

SB1430 SD2 HD1 (HSCR 1243)

RELATING TO JUVENILE SAFETY. Senator Buen (586-7340)

Requires any child under 15 years of age that operates a bicycle, play vehicle, or a wheeled apparatus to wear a helmet. Adds wheeled apparatus to statewide traffic code provisions. -- SB1430 HD1

Mar-24 99 Passed Second Reading House as amended (HD1)

Mar-24 99 Referred to JHA (586-8480)

SB1431 SD2 (SSCR 702)

RELATING TO THE ESTABLISHMENT OF AN AGRICULTURAL WATER SYSTEM FOR UPCOUNTRY MAUI. Senator Buen (586-7340)

Provides that the board of agriculture shall have the power to conduct surveys, studies and engineering for the construction of water facilities to adequately serve the quantity of agricultural water demands to the region (upcountry Maui district) and shall have the power to operate, maintain and improve the system.

Provides that the board shall collect water tolls in order to defray the cost of operation and to make the system self sufficient and may have the power to contact with other government agencies for construction or financing. Allows the board of agriculture to have power of eminent domain to acquire the necessary easements, rights of way and real property for diverting, conveying, pumping, storing, distribution, and transmitting agricultural water for agriculture uses. Establishes that the moneys in the irrigation system revolving fund be expended upon warrants drawn by the comptroller for expenses directly attributable to the cost of the systems. Appropriation to the department of agriculture. (\$\$) -- SB1431 SD2

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Multiple Referral to AGR then FIN (586-6010)

SB1438 SD1 (SSCR 394)

RELATING TO GOVERNMENT PROCUREMENT. Senator Kawamoto (586-6970)

Amends provisions relating to the Hawaii public procurement code by including the definitions for state contractor, state subcontractor and state resident. Amends provisions relating to preference to bidders on state agency contracts. Provides that in order to qualify for public works projects, contractors shall agree to hire qualified state subcontractors. Provides criteria. -- Requires the comptroller to report to the legislature. -- SB1438 SD1

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Multiple Referral to EDB then FIN (586-6530)

SB1462 SD1 HD2 (HSCR 1786)

RELATING TO ELECTIONS. Senator Chumbley (586-6030)

## SENATE BILLS WHICH PASSED THIRD READING

Amends Act 27, special session laws of 1995, as amended by Act 13, session laws of 1996, by extending the repeal date to June 30, 2001 (sunset). -- SB1462 HD2

Apr=15 99 Senate Disagrees to House amendments

Apr-19 99 Conference Committee: House Members: Oshiro P, Kanoho E -- Ahu Isa L, Auwae E, Hamakawa E

Apr=19 99 Conference Committee: Senate Members: Chumbley A, Matsunaga M, Fukunaga C -- Anderson W, Ihara L

SB1465 SD1 (SSCR 267)

RELATING TO THE STATE POST-SECONDARY EDUCATION COMMISSION.  
Senator Fukunaga (586-6890)

Establishes a college tuition savings program. Requires the director of finance to issue requests for proposals to evaluate and determine the vehicle for investments of the savings plan and its administration. Requires the post secondary commission to consider the proposals and make the final selection. Allows students to be eligible to participate in and benefit from the savings plan.

Funds to be used for any educational expenses for post secondary, undergraduate, or graduate education at an accredited institution. Establishes an income tax exemption for interest and dividends from the funds invested in the savings plan. -- SB1465 SD1

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Multiple Referral to HED then FIN (586-6330)

SB1466 SD1 (SSCR 225)

RELATING TO STATE RISK MANAGEMENT. Senator Chun (586-7344)

Amends provision relating to the state risk management revolving fund. Requires the comptroller to apportion to and collect from state agencies benefits received, and consider the relevant agency risk and loss experience in determining apportionments and assessments. -- Requires the comptroller to prepare a report every fiscal year for each agency, and report to the legislature. -- SB1466 SD1

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Single Referral to FIN (586-6200)

SB1469

RELATING TO THE ADJUDICATION OF TRAFFIC INFRACTIONS. Senate President Mizuguchi (BR) (586-6870)

Provides that any person who fails to appear at the place and within the time specified in the summons or citations issued to the person by an authorized police officer for any traffic violation or who fails to appear for any subsequent date set by the court is guilty of a violation as provided in the penal code. -- Repeals the adjudication of traffic infractions law and adds imprisonment penalties for traffic violations. -- SB1469

Mar-11 99 Introduction/Passed First Reading - House

Mar-15 99 Multiple Re referral to JHA then FIN (586-8480)

SB1475 SD1 HD2 (HSCR 1790)

RELATING TO THE SCHOOL-TO-WORK OPPORTUNITIES PILOT PROJECT.  
Senator Kanno (586-6830)

Amends Act 343, session laws of 1997, establishing the school to work opportunities pilot project, by repealing the executive director of the council and transfers the Hawaii school to work opportunities executive council to the department of education. Provides that the council's plan of work shall be carried out through task groups organized around collaborative school to work initiatives. Requires the council to act as the governing board for the school to work system. Provides that the major staff services for the council shall be provided by the department. -- SB1475 HD2

Apr=15 99 Senate Disagrees to House amendments

Apr=19 99 Conference Committee: Senate Members: Nakata B, Ige D, Fukunaga C -- Chun Oakland S, Slom S, Taniguchi B

Apr-26 99 Conference Committee: House Members: Ito K, Yoshinaga T,

## SENATE BILLS WHICH PASSED THIRD READING

Catalani I -- Goodenow K, Moses M

SB1481 SD1 HD1 (HSCR 1724)

MAKING AN APPROPRIATION FOR THE HAWAII ISLAND VETERANS MEMORIAL INC. Senator Matsuura (586-7788)

Authorizes the issuance of general obligation bonds for appropriation to the department of defense for a grant in aid to the Hawaii Island Veterans Memorial Inc. for plans, land acquisition, design and engineering, construction, and equipment for phase I and phase II of the combined veterans center project. (\$\$) -- SB1481 HD1

Apr=15 99 Senate Disagrees to House amendments

Apr-19 99 Conference Committee: House Members: Garcia N, Takamine D -- Chang J, Nakasone B, Pendleton D

Apr=19 99 Conference Committee: Senate Members: Kawamoto C, Levin A -- Bunda R, Iwase R, Slom S

SB1496 SD1 (SSCR 705)

RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR MEDICAL WASTE FACILITY PROJECT DEVELOPMENT. Senator Buen (586-7340)

Authorizes the issuance of special purpose revenue bonds to assist HEED, Inc, a Hawaii corporation, to establish a plasma waste conversion facility on Molokai for the disposal of various waste streams including medical waste. Requires informational briefing followed by a public hearing. Requires the department of health to cite the language embodied within the body of any permits issued so that the legislature's conditions and limitations are not separated from the permit or permits. Requires the facility to be available to members of the public, including hospitals, medical clinics, laboratories, and other health care providers serving the public. (\$\$) -- SB1496 SD1

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Multiple Referral to EEP then FIN (586-8435)

SB1504 SD1 HD1 (HSCR 1168)

MAKING AN APPROPRIATION FOR EMERGENCY MEDICAL SERVICES.

Senator Kanno (586-6830)

Appropriation to the department of health for emergency medical services for the greater Honolulu area, the Makakilo Kapolei area, the Kahaluu Kaaawa area, and the Waianae Nanakuli area of the city and county of Honolulu. (\$\$) -- SB1504 HD1

Apr=15 99 Senate Disagrees to House amendments

Apr-19 99 Conference Committee: House Members: Santiago A, Kawakami B -- Kahikina M, Lee M, Leong B

Apr=19 99 Conference Committee: Senate Members: Chun Oakland S, Fukunaga C, Levin A -- Nakata B

SB1510 SD1 (SSCR 792)

RELATING TO INSURANCE. Senator Taniguchi (586-6460)

Requires the insurance commissioner to study the feasibility of setting mandatory minimum levels of liability insurance to be carried by all real estate agents and brokers, and at the same time abrogating joint and several liability for all licensed real estate agents and brokers who carry the mandatory minimum level of liability insurance. Requires the commissioner to consult with the real estate commissioner, the board of realtors, and the Hawaii association of realtors, licensed real estate agents and brokers, attorneys, insurers, and other parties the commissioner deems appropriate. Report to the legislature. -- Requires the insurance commissioner to collect data relating to the nature, frequency, and payment of tort claims including claims relating to personal injuries, death, professional errors and omissions, property damage, and negligence. Requires each insurer to annually report to the commissioner. Provides that the commissioner may annually reduce rates and adjust rates prospectively for any class or type of insurance. -- SB1510 SD1

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Single Referral to CPC/ JHA/ (586-6150)

## SENATE BILLS WHICH PASSED THIRD READING

- SB1517 SD1 HD1 (HSCR 1690) RELATING TO ACUPUNCTURE PRACTITIONERS. Senator Tam (586-6450)  
Amends provisions relating to qualifications for acupuncture practitioners' examination by requiring the applicant to show satisfactory proof to the board of acupuncture of academic and clinical training from an institute, school, or college that is accredited, recognized as a candidate for accreditation, or is in the process of applying for candidacy for accreditation. -- SB1517 HD1  
Apr=15 99 Senate Disagrees to House amendments  
Apr=19 99 Conference Committee: House Members: Menor R -- Cachola R, Garcia N, Herkes R, Whalen P  
Apr=19 99 Conference Committee: Senate Members: Kanno B, Taniguchi B -- Bunda R, Inouye L, Slom S
- SB1534 SD1 HD1 (HSCR 1362) RELATING TO LICENSE PLATES. Senator Slom (586-8420)  
Amends the special number plates (license plates) to establish provisions for organizations to apply for a special number plate with the county director of finance. Also to include an applicant serving the US in the military or as a civilian, on Oahu, or off shore at a distance of not more than 3 miles at the time of the December 7, 1941, attack on Pearl Harbor. -- SB1534 HD1  
Mar-25 99 Passed Second Reading House as amended (HD1)
- SB1542 AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES. Senator Sakamoto (586-8585)  
Authorizes the issuance of special purpose revenue bonds to assist the Honolulu neighborhood housing services, a Hawaii not for profit corporation, in planning, designing, and constructing a senior citizen lifecare retirement community. Requires the corporation to obtain a certificate of need approval from the state health planning and development agency and be in compliance with laws, ordinances, and rules of the State or any political subdivision or any departments or boards thereof. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB1542  
Mar-22 99 Passed Second Reading House  
Mar-22 99 Referred to FIN (586-6200)
- SB1544 SD2 HD2 (HSCR 1789) RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM. Senator Chumbley (586-6030)  
Amends provisions relating to employees' retirement system allowance on service. Provides that deputy sheriffs of the department of public safety and conservation and resources law enforcement officers of the department of land and natural resources shall have the same retirement benefits (class A) as police officers, firefighters, corrections officers, investigators of the departments of the prosecuting attorney and the attorney general, narcotics enforcement investigators, and water safety officer and requires them to make the same contributions to the retirement system. Requires all deputy sheriffs and conservation and resources law enforcement officers to contribute 12 and 2/10 per cent of their compensation to the annuity savings fund for service, unless the deputy sheriff or officer opts not to become a class A member. Provides that members who have at least 10 years credited service and the last 5 or more years prior to retirement as a deputy sheriff or as a conservation and resources law enforcement officer, then for each year of service the retirement allowance shall be 2 and 1/2 per cent of the member's average final compensation. -- Allows the deputy sheriffs and the enforcement officers who are in service prior to the effective date of this Act to convert to class A membership, provided that their membership service before July 1, 1999 shall remain at class C. -- Provides that all deputy sheriffs and enforcement officers hired after June 30, 1999 shall be class A members. Provides that members

## SENATE BILLS WHICH PASSED THIRD READING

with at least 25 years of service, of which the last 5 years as a deputy sheriff or a conservation and resources law enforcement officer, shall receive normal retirement benefits, irrespective of age. -- SB1544 HD2

Apr=15 99 Senate Disagrees to House amendments

Apr-19 99 Conference Committee: House Members: Yoshinaga T, Takamine D -- Catalani I, Marumoto B, Souki J, Suzuki N

Apr=19 99 Conference Committee: Senate Members: Kanno B, Taniguchi B, Chumbley A, Matsunaga M, Fukunaga C, Levin A -- Slom S

SB1556 SD2 (SSCR 741)

RELATING TO GENERAL EXCISE TAX. Senator Kawamoto (586-6970)

Provides a general excise tax exemption and exclusion on the gross proceeds arising from federal construction contracts awarded and received by state contractors and subcontractors licensed under the contractors law. -- SB1556 SD2

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Multiple Referral to EDB then FIN (586-6530)

SB1557

RELATING TO MOTOR CARRIERS. Senator Kawamoto (586-6970)

Provides that any monitoring of storm water runoff by a motor vehicle carrier or private carrier of property by motor vehicle that is required by law shall be done by visual observation. -- SB1557

Mar-25 99 Passed Second Reading House

Mar-25 99 Referred to EEP (586-8435)

SB1568 SD2 (SSCR 906)

RELATING TO CRIME. Senator Kanno (BR) (586-6830)

Amends provision relating to street solicitation of prostitution. Authorizes the appropriate city council, upon recommendation of the county chief of police, to enact an ordinance that designates 1 or more areas found to be experiencing a significant incidence of prostitution related activity that is detrimental to the health, safety or welfare of the general public. Provides that councils may alter boundaries of any existing area, including Waikiki. Changes public street or sidewalk to any public property. -- Requires a mandatory term of 30 days imprisonment, or the court may place the defendant on 6 month probation with the mandatory condition that prohibits entering or remaining on public property.

Provides that a police officer, without a warrant, may arrest any person when the officer has probable cause. -- Amends provision relating to the right to bail.

-- SB1568 SD2

Mar-11 99 Introduction/Passed First Reading - House

Mar-11 99 Multiple Referral to JHA then FIN (586-8480)

SB1586 SD2 HD1 (HSCR 1303)

RELATING TO EDUCATION. Senator D. Ige (586-6230)

Provides that funding for coaches' salaries, athletic health care trainers' salaries, equipment and supplies, and the transportation of athletic teams shall be considered standard workload increase items when planning and budgeting for new public schools. Requires the director of finance to consult with the superintendent of education. Provides that the term education programs includes coaches' salaries, athletic health care trainers' salaries, athletic equipment and supplies, and the transportation of athletic teams for new schools. Requires the department of education to study the implications of setting coaches' salaries in the same manner as increases for A Plus (A+, A+) site supervisors and drivers education instructors. Report to the legislature. -- SB1586 HD1

Mar-25 99 Passed Second Reading House as amended (HD1)

Mar-25 99 Referred to FIN (586-6200)

SB1607 SD2 HD2 (HSCR 1770)

RELATING TO ECONOMIC DEVELOPMENT AND PRIVATE INVESTMENT ATTRACTION. Senator D. Ige (586-6230)

Appropriation to the Hawaii strategic development corporation to be paid into



## SENATE BILLS WHICH PASSED THIRD READING

their revolving fund provided that investments be made primarily in high technology companies, the amount is at least matched by private sector investment, and up to \_\_\_\_ dollars be used to develop a plan to further develop venture capital in Hawaii identifying investment opportunities. -- Amends the Hawaii strategic development corporation revolving fund to be administered by the board of directors of the Hawaii strategic development corporation. Prohibits the department of business, economic development, and tourism to restrict the use of any moneys in the fund. -- SB1607 HD2

Apr=15 99 Senate Disagrees to House amendments

Apr-19 99 Conference Committee: House Members: Herkes R, Suzuki N -- Fox G, Luke S, Morihara D

Apr=19 99 Conference Committee: Senate Members: Inouye L, Fukunaga C -- Ige D, Nakata B, Slom S

SB1608 SD1 HD1 (HSCR 1206)

AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES. Senator Bunda (586-6090)

Authorizes the issuance of special purpose revenue bonds to assist Pacific Women's Center, Inc., Pacific Saging Center, Inc., Pacific Sports Medicine & Research, Inc., Pacific Cardiac Institute, Inc., Pacific Wellness Center, Inc., and Pacific Community Health and Wellness, Inc., not for profit Hawaii corporations, for acquisition or leasing of land for new facilities, for planning, design, and construction of new health care facilities, and for acquisition and installation of additional capital equipment. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB1608 HD1

Mar-22 99 Passed Second Reading House as amended (HD1)

Mar-22 99 Referred to FIN (586-6200)

SB1609 SD1 HD1 (HSCR 1203)

AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES. Senator Bunda (586-6090)

Authorizes the issuance of special purpose revenue bonds to assist Wahiawa Central Oahu Health Center, a not for profit Hawaii corporation, for planning, design, construction, and operation of a new health care facility, and for acquisition and installation of additional capital equipment. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB1609 HD1

Mar-22 99 Passed Second Reading House as amended (HD1)

Mar-22 99 Referred to FIN (586-6200)

SB1610 HD1 (HSCR 1171)

AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR NOT-FOR-PROFIT CORPORATIONS THAT PROVIDE HEALTH CARE FACILITIES. Senator Bunda (586-6090)

Authorizes the issuance of special purpose revenue bonds to assist Wahiawa General Hospital, Inc., a not for profit Hawaii corporation, or a Hawaii nonprofit affiliate of Wahiawa General Hospital, Inc., for retirement of outstanding debt on existing health care facilities and capital equipment, for planning, design, construction, and operation of a new health care facility, for acquisition and installation of additional capital equipment, and for renovation or repair of existing health care facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB1610 HD1

Mar-22 99 Passed Second Reading House as amended (HD1)

Mar-22 99 Referred to FIN (586-6200)

SB2001 SD2 (SSCR 2670)

RELATING TO COUNTY TORT LIABILITY. Senator Inouye (586-7335)

Amends provision relating to defense of state employees to include

## SENATE BILLS WHICH PASSED THIRD READING

indemnification of counties. Provides that the attorney general shall defend and the State shall indemnify a county against all damages in any civil action proceeding brought in any court against the county based on an allegedly negligent or wrongful act or omission of persons employed by a county as lifeguards and designated to provide lifeguard services at a designated state beach park under an agreement between the State and a county or at any beach park operated by that county under a license or lease from any state agency or pursuant to an executive order of the governor; or a natural condition existing at a beach park previously mentioned or any natural or unnatural condition of the beach and ocean adjacent to the beach park. -- SB2001 SD2  
Mar-09 00 Introduction/Passed First Reading - House

SB2003 SD1 (SSCR 2604)

MAKING AN APPROPRIATION TO MATCH FEDERAL FUNDS FOR THE ESTABLISHMENT OF MANUFACTURING EXTENSION PROGRAMS.  
Senator Inouye (586-7335)  
Appropriation to the department of business, economic development, and tourism to establish manufacturing extension programs in Hawaii. Requires matching federal funds. (\$\$) -- SB2003 SD1  
Mar-09 00 Introduction/Passed First Reading - House

SB2005

RELATING TO PUBLIC LANDS. Senator Inouye (586-7335)  
Establishes provision relating to leases on banyan drive resort area. Authorizes the department of land and natural resources to issue new resort leases to existing banyan drive resort lessees, not to exceed 55 years. Provides criteria. Authorizes the department to set lease terms and issue a request for proposal (RFP) or other means to determine competition. Requires the department to develop a process to ensure that no market demand assumption holds true. Requires all cost for the issuance of a new lease to be paid for by the lessees interested in acquiring a new lease. Act to be repealed July 1, 2005 (sunset). -- SB2005  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to TSM/ WLU/ then FIN (586-6120)

SB2021 SD2 (SSCR 2599)

RELATING TO HOUSING. Senator Tam (586-6450)  
Establishes a federally assisted rental housing preservation program. Provides that when an owner of an assisted housing development who gives notice of intent to terminate a subsidy contract or repay the mortgage, the housing and community development corporation of Hawaii is required to issue a letter expressing the desire to purchase the property; communicate with federal department of housing and urban development to maintain section 8 subsidies; use its staff and other resources to form a tenants association, and assist the tenant association to apply to the proper agencies for nonprofit status; have an appraisal conducted on the target property in order to make an offer purchase; and issue multi family housing bonds and make a corresponding appropriation to purchase the property and perform any necessary renovations; not become involved in any future developments of new rental housing projects; devote its efforts primarily to the preservation of existing subsidized rental housing projects. Entities with opportunity to purchase 1st shall include, the tenant association, local nonprofit organizations and public agencies. Provides criteria. -- SB2021 SD2  
Mar-09 00 Introduction/Passed First Reading - House

SB2024

MEDICAL RESEARCH ON CANCER STUDIES. Senator Chun Oakland (586-6130)  
Amends provision relating to sources of information protected. Provides that free standing radiation oncology facilities, and other treatment or pathology facilities be included to submit a report of persons diagnosed as having cancer to the Hawaii tumor registry or participating hospital registry. Requires

## SENATE BILLS WHICH PASSED THIRD READING

physicians who diagnose or treat a patient for cancer to also submit a report unless the patient has previously been admitted or treated at a hospital, skilled nursing home, intermediate care home, or free standing radiation oncology facility for that particular cancer. Provides that hospital based registry staff may be included to assist hospitals, institutions, treatment or pathology facilities, and physician offices in the preparation of reports. -- SB2024

Feb-17 00 Introduction/Passed First Reading - House

Feb-18 00 Multiple Referral to HLT then CPC/ JHA/ (586-6380)

SB2040 SD1 (SSCR 2064)

RELATING TO DEVELOPMENTAL DISABILITIES. Senator Chun Oakland (586-6130)

Appropriation to the department of health to serve as the state's share of matching federal title XIX medicaid funds for individuals with development disabilities who are eligible for the home and community based services program under medicaid. (\$\$) -- SB2040 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to HLT then FIN (586-6380)

SB2056 SD1 (SSCR 2432)

RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNT CONTRIBUTION TAX CREDITS. Senator Chun Oakland (586-6130)

Provides an individual development account contribution income tax credit.

Provides that the credit shall be equal to 50 per cent of the amount contributed to a fiduciary organization by an individual, organization, or business as matching funds for individual development accounts. Provides that if a deduction is taken under section 170 (with respect to charitable contributions and gifts) of the Federal Internal Revenue Code, no tax credit shall be allowed for that portion of the contribution for which the deduction was taken. Requires verification and certification by the department of human services and requires the certificate to be filed with the department of taxation. Provides that the credit shall be available for taxable years beginning after December 31, 1999, and before December 31, 2005 (sunset). -- Amends Act 160, session laws of 1999, relating to individual development accounts to take effect for taxable years after December 31, 1999. -- SB2056 SD1

Mar-07 00 Introduction/Passed First Reading - House

Mar-07 00 Multiple Referral to HSH then FIN (586-6050)

SB2058 SD1 (SSCR 2601)

RELATING TO INCOME TAX CREDITS. Senator Chun Oakland (586-6130)

Provides an earned income tax credit for each individual or resident taxpayer who files an individual net income tax return who is not claimed or is not eligible to be claimed as a dependent. Provides that the credit shall be 10 per cent of the federal earned income tax credit determined under section 32 of the Federal Internal Revenue Code from December 3, 1999, to January 1, 2001, and 15 per cent from December 31, 2001. -- SB2058 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2059 SD1 (SSCR 2389)

RELATING TO WELFARE REFORM. Senator Fukunaga (586-6890)

Amends provisions relating to determination of amount of assistance for public assistance and child welfare services. Increases the assistance allowance to 65 per cent, rather than 62 1/2 per cent, of the standard need. -- SB2059 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to HSH then FIN (586-6050)

SB2061 SD1 (SSCR 2342)

RELATING TO PUBLIC OFFICERS AND EMPLOYEES AND EMPLOYMENT PRACTICES. Senator Chun Oakland (586-6130)

Establishes provision relating to wage disclosure, recordkeeping, and reporting requirements. Requires the director of human resources development to make and retain records. Provides criteria. Requires examination of the data to determine whether there is a concentration of employees by gender in classes

## SENATE BILLS WHICH PASSED THIRD READING

and, as appropriate, relevant occupational categories; whether there is discrimination against women with regard to wages or access to such positions; whether there are unequal wages for males and females performing the same type of job or jobs of equivalent value; and whether other gender neutral factors, such as length of service, skill, effort, or responsibility account for the differences or whether there is indication of gender bias. Establishes a 4 year pay equity task force to be conducted under the auspices of the office of the governor, beginning in fiscal year 2001 - 2002 through fiscal year 2004 - 2005. Provides criteria. Requires the task force to annually report to the legislature. -- SB2061 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to LAB then FIN (586-8450)

SB2062 SD1 (SSCR 2033)

RELATING TO LONG-TERM CARE. Senator Chun Oakland (586-6130)

Amends Act 339, session laws of 1997, as amended by Act 93, session laws of 1999 by extending the joint legislative committee on long term care to June 30, 2002 (sunset). -- Requires the committee to contract for a study on the feasibility and advisability of establishing a state sponsored universal program of long term care that offers comprehensive, protective coverage to the largest number of people as reasonably possible through a funding approach that is least expensive and easiest to administer and actuarially sound. -- Adds that the study shall also examine how to integrate a state sponsored universal program of long term care with the private insurance model; include a proposed model for financing a program for a target population that cannot afford long term care insurance; specify the amount of moneys that must be collected to adequately finance the program and the mechanism for collection; and make recommendations. Allows the study to include an examination of universal long term care financing models of other countries. -- Repeals provisions requiring the study to analyze the Hawaii family hope program. -- Requires the joint legislative committee on long term care to consider the knowledge of the contractor of past efforts of the State to establish a universal long term care program when selecting a contractor by bid for the study. -- Requires the departments of taxation and budget and finance to cooperate with the contractor. -- Extends the date for the consultants contracted to report to the governor and legislature to be November 15, 2001, and for legislation to be introduced in the regular session of 2002. -- Appropriation to the house of representatives and the senate, rather than the joint legislative committee on long term care for the 2000 - 2001 fiscal year for the committee to hire consultants and 2001 - 2001 fiscal year for the expenses of the committee to conduct public briefing. (\$\$) -- SB2062 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to HSH then LMG then FIN (586-6050)

SB2064

REPEALING SECTION 327E-13(G), HAWAII REVISED STATUTES. Senator Chun Oakland (586-6130)

Amends provisions relating to the effect of uniform health care decisions Act. Repeals provisions that excludes a patient that is diagnosed by the attending physician as pregnant. -- SB2064

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to HLT then JHA (586-6380)

SB2067

RELATING TO AWARDING CUSTODY AND VISITATION. Senator Chun Oakland (586-6130)

Amends provision relating to the award of child custody and visitation. Requires the court, if custody is granted to a person against whom there is evidence of family violence to include reasons for its decision in its written order. -- SB2067

Mar-03 00 Introduction/Passed First Reading - House

## SENATE BILLS WHICH PASSED THIRD READING

Mar-07 00 Single Referral to JHA (586-8480)

SB2069 SD1 (SSCR 2439)

RELATING TO PROBATION. Senator Chun Oakland (586-6130)

Amends provisions relating to records, to authority of probation officers, and to duties and powers of probation officers by including an exception to the disclosure of information. Provides that a probation officer may notify the victim of domestic violence, the immediate family of the victim, a parent of the victim, or a victim advocate, when the defendant violates a term or condition of probation that poses a threat to the safety and welfare of the victim and the probation officer has reason to believe that the safety and welfare of the victim is in jeopardy. -- SB2069 SD1

Mar-07 00 Introduction/Passed First Reading - House

Mar-07 00 Single Referral to JHA (586-8480)

SB2074 SD2 (SSCR 2538)

RELATING TO CORRECTIONS. Senator Chun Oakland (586-6130)

Establishes a task force on parity for female offenders within the department of public safety. Requires the task force to review all programs currently offered to female adult and juvenile offenders and identify inadequacies with the current system and develop a plan to increase interagency cooperation to address the needs unique to female offenders. Provides criteria. Report to the legislature. Appropriation to the department of safety. (\$\$) -- SB2074 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2075 SD1 (SSCR 2762)

MAKING AN APPROPRIATION FOR THE GOOD BEGINNINGS ALLIANCE.

Senator Chun Oakland (586-6130)

Appropriation to the department of human services for the coordination and implementation of the good beginnings alliance initiative. Requires matching funds from the private sector. (\$\$) -- SB2075 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to HSH/ HLT/ then FIN (586-6050)

SB2088

RELATING TO SHORT-TERM INVESTMENT OF STATE MONEYS. Senator Fukunaga (586-6890)

Amends provision relating to short term investment of state moneys. Authorizes the director of finance to use any moneys of the State as a short term investment to Federal Farm Credit System notes and bonds; Student loan marketing association notes and bonds (Sallie Mae); and Tennessee Valley Authority notes and bonds (TVA) for meeting the immediate requirements of the State and where in the director's judgment the action will not impede or hamper the necessary financial operations of the State. Repeals Federal land bank bonds and replaces it with Federal Farm Credit System notes and bonds. -- SB2088

Mar-03 00 Introduction/Passed First Reading - House

Mar-07 00 Single Referral to FIN (586-6200)

SB2093 SD2 (SSCR 2561)

RELATING TO VETERANS RIGHTS AND BENEFITS. Senator Kawamoto (586-6970)

Establishes provisions relating to disbursement of world war II Filipino veterans burial grant funds. Requires the office of veterans services to receive, review, and approve requests for payment at the request of a deceased Filipino veteran's survivor or an interested party, for funeral and burial services, and transporting the remains to the Philippines. Requires the office to establish the maximum amount of burial grant funds to be distributed and not expend more than the amount appropriated for the fiscal year. Provides that payment shall be authorized by the office upon the submission of an invoice reflecting that the services will be satisfactorily performed. Appropriation. (\$\$) -- SB2093 SD2

Mar-09 00 Introduction/Passed First Reading - House

## SENATE BILLS WHICH PASSED THIRD READING

SB2106 SD1 (SSCR 2462)

RELATING TO FEDERAL FUNDING. Senator Tam (586-6450)

Establishes provision relating to federal grants in aid, governor, comptroller, and director of finance not restricted by including the comptroller. Prohibits the governor, the comptroller, and the director of finance from restricting any state agency's ability to expend federal grant moneys if the granting federal agency has already approved the expenditure of funds as provided in the state agency's grant application. Provides that any modification of the amount expended by the state agency of federally granted funds shall be agreed to by the granting federal agency and the state agency authorized under the grant to expand the funds and shall not require the governor's, the comptroller's, or director of finance's approval. Requires the governor to allow the state agency to increase the federal fund expenditure ceiling by the amount that the federal grants moneys received by the agency exceeds the authorized appropriation in the general appropriations Act or the supplement appropriations Act; and allow the state agency to retain the full amount of the general fund offset created by the federal grant moneys to further carry out the purposes of the specific programs for which the grant moneys were awarded. -- SB2106 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2108 SD2 (SSCR 2693)

RELATING TO THE PUBLIC LAND TRUST. Senator Hanabusa (586-7793)

Requires the auditor to coordinate the resolution of the issues and controversies surrounding the public land trust by facilitating the identification of lands within the public lands trust, assets and natural resources, and with the cooperation of the department of land and natural resources, the office of Hawaiian affairs, and any other state agency and department to complete a comprehensive inventory and mapping database. Provides criteria. Progress and final report to the legislature. Appropriation. Requires matching funds from the office of Hawaiian affairs. (\$\$) -- SB2108 SD2

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to LMG then JHA then WLU then FIN (586-6270)

SB2109 SD1 (SSCR 2018)

RELATING TO THE HAWAIIAN HOMES COMMISSION ACT. Senator

Hanabusa (586-7793)

Amends Hawaiian homes commission Act. Provides that the Hawaiian homes commission may appoint or retain by contract 1 or more attorneys who are independent of the attorney general to provide legal services for the department of Hawaiian home lands. Allows the Hawaiian homes commission to fix the compensation of the attorneys appointed. Provides that attorneys appointed or retained by contract shall be exempt from civil service; compensation; and collective bargaining. -- SB2109 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to JHA then FIN (586-8480)

SB2110 SD2 (SSCR 2694)

RELATING TO HAWAIIAN HOME LANDS TRUST INDIVIDUAL CLAIMS.

Senator Hanabusa (586-7793)

Amends provisions relating to individual claims resolution under the Hawaiian home lands trust. Extends the deadline for the preparation and transmittal of a final report on individual claims resolution under the Hawaiian home lands trust to the legislature and the governor to 2002 (from 1997). Extends the term of office of each member of the Hawaiian home lands trust individual claims review panel until December 31, 2002 (from 1999). Provides that claimants may file an action no earlier than October 1, 2002. Requires an aggrieved individual claimant to file a written notice with the panel no later than October 1, 2002 (from 1999), that the claimant does not accept the action taken by the legislature in regular session upon the claim. Provides for a limitation on actions unless the action is commenced by December 31, 2002 (from 1999). -- Establishes a Hawaiian home lands trust individual claims compensation commission, within the legislative reference bureau, to develop proposals for

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alternative means of compensating claimants who have received a favorable ruling under the Hawaiian home lands trust. Report to the legislature. Commission shall cease to exist on June 30, 2002 (sunset). -- SB2110 SD2  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to JHA then FIN (586-8480)

SB2112 SD1 (SSCR 2035)

RELATING TO THE WAIANAE COAST COMMUNITY BENCHMARKING PILOT PROJECT. Senator Hanabusa (586-7793)  
Amends Act 314, session laws of 1997, establishing the Waianae coast community benchmarking pilot project by extending repeal date to June 30, 2003 (sunset). Appropriation to the department of business, economic development, and tourism. (\$\$) -- SB2112 SD1  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to EDB then FIN (586-6530)

SB2114 SD1 (SSCR 2643)

RELATING TO MOTOR VEHICLES. Senator Hanabusa (586-7793)  
Amends the special number plates (license plates) provisions by increasing the size of the decal to 3 inches wide. Also clarifies that organization means an organization of at least 100 members in good standing that is a not for profit organization recognized as such by the Federal Internal Revenue Service and whose primary purpose is to provide the community with specific programs to improve the public's health, education, or welfare or a military service veterans group. Organization also includes a state or county agency approved by the county director of finance or any school or accredited institution of higher learning or a college or recognized program thereof. Provides that after an organization's application has been approved a motor vehicle owner may apply for the special number plate with proof of the organization's approval. -- SB2114 SD1  
Mar-09 00 Introduction/Passed First Reading - House

SB2115 SD1 (SSCR 2281)

RELATING TO FALSE CLAIMS. Senator Hanabusa (586-7793)  
Establishes false claims against the government law. Provides that a person who knowingly presents or causes to be presented to an officer or employee of the State or of any political subdivision, a false claim for payment or approval; knowingly makes, uses, or causes to be made or used a false record or statement to get a false claim paid or approved by the State or by any political subdivision; conspires to defraud the State or any political subdivision by getting a false claim allowed or paid by the State or any political subdivision; has control of public property or money used by the State or political subdivision and knowingly delivers less property than the amount for which the person received a certificate or receipt; is authorized to make or deliver a document certifying receipt of property to be used by the State or any political subdivision and knowingly makes or delivers a receipt that falsely represents the property used or to be used; knowingly buys, or receives as a pledge, an obligation, debt, or public property from any person who is not lawfully authorized to sell or pledge the obligation, debt or property; knowingly makes, uses, or causes to be made or used, a false record or statement to conceal, avoid, or decrease an obligation to pay or transmit money or property to the State or to any political subdivision; or fails to disclose the false claim to the State or the political subdivision within a reasonable time after discovery of the false claim shall be liable to the State or political subdivision for 3 times the amount of damages which the State or subdivision sustains due to the act committed by that person and the cost of a civil action brought to recover any of those penalties or damages. Further provides that the person may also be liable for a civil penalty of up to 10,000 dollars for each false claim. -- Requires the attorney general to diligently investigate violations. Authorizes the attorney general to bring civil action. -- Establishes a false claims Act fund in proceeds and interest from the judgment or settlement of the claim by the attorney general pursuant to this Act

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shall be deposited to support the ongoing investigation and prosecution of false claims. -- Provides that the university of Hawaii shall be considered a political subdivision and the general counsel to be considered a prosecuting attorney. -- Defines political subdivision to include city, city and county, or county. -- SB2115 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to JHA then FIN (586-8480)

SB2118 SD2 (SSCR 2559)

RELATING TO HISTORIC PRESERVATION. Senator Hanabusa (586-7793)  
Amends provisions relating to historic preservation program. Adds definition of heiau. Provides that violators of this section shall be fined no more than 25,000 dollars for each separate offense and shall be subject to forfeiture of the historic property, heiau, or burial site by the State without compensation. Provides that any owner, natural or corporate, who receives actual notice of a violation that occurred on the owner's private lands also violates this provision if the owner fails to take internal corrective action in a timely fashion to prevent further damage to the heiau, or burial site; or fails to report the violation to the department of land and natural resources to a timely fashion. -- SB2118 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2120 SD1 (SSCR 2440)

RELATING TO ACT 316, SESSION LAWS OF HAWAII 1993, AS AMENDED BY ACT 157, SESSION LAWS OF HAWAII 1995; AND TO ACT 278, SESSION LAWS OF HAWAII 1999. Senate President Mizuguchi (BR) (586-6870)

Amends Act 316, session laws of 1993, as amended by Act 157, session laws of 1995, relating to sentencing. Provides that provisions relating to factors to be considered in imposing term of probation and terms of probation shall be reenacted in the form which it was read on the date of repeal. Further provides that amendments to provisions relating to factors to be considered in imposing term of probation by Act 229, session laws of 1994 and Act 172, session laws of 1998 shall not be repealed. -- Amends Act 278, session laws of 1999, relating to crime. Provides that provisions relating to the authorization of payments for the crime victim compensation special fund shall be reenacted in the form which it was read on the date of repeal. -- SB2120 SD1

Mar-07 00 Introduction/Passed First Reading - House

Mar-07 00 Single Referral to JHA (586-8480)

SB2121 SD1 (SSCR 2441)

RELATING TO OBSOLETE LAWS. Senate President Mizuguchi (BR) (586-6870)

Amends provision relating to the interagency federal revenue maximization revolving fund by repealing the requirement of the fund to be reverted back to the general funds. Repeals the reciprocal beneficiary family coverage defined; reciprocal beneficiary employees, State and counties, and fund responsibility costs. Repeals the medical services excise tax credit. Repeals real property tax; determination of rates. -- SB2121 SD1

Mar-07 00 Introduction/Passed First Reading - House

Mar-07 00 Single Referral to EDB (586-6530)

SB2131 SD1 (SSCR 2602)

RELATING TO FEDERAL CONSTRUCTION. Senator Kawamoto (586-6970)

Provides a federal contractor income tax credit for a federal general contractor and federal subcontractor for the amount of general excise tax paid by the contractor to the State at the 4 per cent rate. Limits the credit for a general contractor up to the 1st 20 million dollars of gross income. -- SB2131 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2132 SD2 (SSCR 2700)

RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE. Senator Kawamoto (586-6970)

Amends provisions relating to the Hawaii public procurement code by including the definitions for state contractor, state subcontractor and state resident.



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Amends provision relating to preference to bidders on state agency contracts. Enables a state agency to increase the opportunity for more state contractors to succeed in their bids for state contracts and to more widely distribute state contracts among all state contractors that are qualified to bid. Provides that contracts for a public works project pursuant to provisions relating to competitive sealed bidding or competitive sealed proposals for 10,000,000 dollars or less, a state agency shall award the contract to an offeror who is a state contractor prior to submitting the offeror; provided that the amount of that offer is no more than 15 per cent higher than the amount offered by any competing contractor who is not a state contractor. -- Requires the comptroller to report to the legislature. -- SB2132 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2134 SD1 (SSCR 2605)

RELATING TO AGRICULTURE AND ANIMALS. Senator Kawamoto (586-6970)

Amends provision relating to agriculture and military discount. Provides that active duty military personnel in all branches of the armed services shall pay fees as set forth for a federal military grade pay level of 03 and below, a \_\_\_\_\_ fee discount and a federal military grade pay level of 04 and above, a \_\_\_\_\_ fee discount on all quarantine fees. -- SB2134 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2138 SD2 (SSCR 2731)

RELATING TO PUBLIC SCHOOL FACILITIES. Senator Sakamoto (586-8585)

Requires all newly constructed school buildings and all existing school buildings undergoing re roofing to include thermal control systems with a minimum heat transfer resistance value of R-19 in conformance with applicable provisions of the Hawaii Model Energy Code. Requires the department of education to utilize individuals qualified by licensing and experience to design or review the roof assembly. Appropriation to the department of accounting and general services. (\$\$) -- SB2138 SD2

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to EDN then FIN (586-8470)

SB2142 SD1 (SSCR 2050)

RELATING TO RIGHTS OF VICTIMS AND WITNESSES IN CRIMINAL PROCEEDINGS. Senator Slom (586-8420)

Amends provisions relating to mental health, drug addiction, and alcoholism. Provides that if the subject of the petition was committed pursuant to examination of defendant with respect to physical or mental health disease, disorder, or defect; legal effect of acquittal on the ground of physical or mental health disease, disorder, or defect; or civil commitment in lieu of prosecution or of sentence, notice shall be served on the county department, agency, or office responsible for the enforcement of the bill of rights for victims and witnesses, on behalf of any victim, surviving immediate family member, or witness. -- Provides that a subject committed to a psychiatric facility under these provisions shall not be eligible for release until 180 days have elapsed from the date of admission whereby the subject shall petition for release. If the court determines that the subject shall not be released, the subject shall not again petition until 90 days have elapsed. If the court determines that the subject shall not be released after the 90 days, the court may order recommitment for a period not to exceed 190 days. -- Amends provisions relating to rights of victims and witnesses in criminal proceedings. Redefines major developments to include when the defendant or perpetrator is acquitted or found unfit to proceed on the ground of physical or mental disease, disorder, or defect; following an acquittal or finding of unfitness to proceed, the defendant or perpetrator is released or discharged from custody, or committed to the custody of the director of health for placement in an appropriate public or private institution; or when the defendant or perpetrator has regained fitness to proceed. -- SB2142 SD1

## SENATE BILLS WHICH PASSED THIRD READING

Feb-15 00 Introduction/Passed First Reading - House  
Feb-16 00 Multiple Referral to HLT then JHA (586-6380)

SB2144 SD1 (SSCR 2333)

RELATING TO ELECTIONS. Senator Chumbley (586-6030)  
Amends election provisions relating to campaign contributions and expenditures. Changes the deadline for filing an organizational report after nomination papers are filed from 5 days to 10 days. Requires the web page and e mail address, if any, to be included on a candidate's committee organizational report. Repeals ballot issue from the report. -- Requires all candidates who withdraw or cease to be candidates, or committees directly associated with such candidates, individuals who receive contribution but fail to file for nomination, or committees or parties which discontinue their activities covered in this part, to return all residual private contributions to the donors within 4 years if their identities are known. Provides that in the event of a death of a candidate, residual contributions shall escheat to the Hawaii election campaign fund. Amends provision relating to candidate funding and amount available by reducing the maximum amount of public funds available to a candidate for the governor, lieutenant governor, or mayor in any election to 10 per cent of the total expenditure limit for each election, and 15 per cent of the total expenditure limit for each election for the office of state senator, state representative, county council member, and prosecuting attorney. -- SB2144 SD1

Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to JHA then FIN (586-8480)

SB2147 SD1 (SSCR 2468)

RELATING TO CAMPAIGN SPENDING. Senator Chumbley (586-6030)  
Amends provision relating to campaign contributions by changing the campaign contribution limits to 2,000 dollars for candidates for all offices, effective November 8, 2000. Provides that the legality of a contribution made before November 8, 2000, shall be determined by the law in effect at the time the contribution is made. -- SB2147 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2150 SD1 (SSCR 2466)

RELATING TO ELECTIONS. Senator Chumbley (586-6030)  
Amends provision relating to campaign spending reports. Requires every final election period special report and every supplemental report required by the campaign spending commission to include a current statement of account for each bank or other depository used by candidate, party, or committee, with each applicable account number. -- SB2150 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2151 SD1 (SSCR 2673)

RELATING TO FIREARMS. Senator Matsunaga (586-7100)  
Establishes provision relating to firearms owner identification card. Provides that the chief of police of the respective counties shall issue firearms owner identification cards to any person who has registered or re registered a firearm. Provides that the format and identification contained on the firearms owner identification card shall be prescribed by the attorney general and shall be uniform throughout the State. Further provides that the identification card shall have an expiration date of 5 years from the date issued. -- Establishes provision relating to sale of ammunition; proof of registration required. Prohibits the sale of ammunition for any firearm required to be registered except upon proof that the purchaser is the registered owner of the firearm for which the ammunition is being purchased. Restricts the purchase of ammunition for rifles and shotguns acquired prior to July 1, 1994, except upon proof that the purchaser complied with the registration requirements. Requires any person permitted to sell ammunition to submit a quarterly report of all ammunition sales transactions to the chief of police of the respective county. -- Amends provision relating to registration, mandatory, exceptions. Provides that every person who has

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registered a firearm shall demonstrate that the person continues to meet the requirements of this Act for ownership or possession of the firearms so owned or possessed. Provides criteria. -- Amends provision relating to ownership or possession prohibited, when; penalty. Requires any physician, psychologist, or psychiatrist who treats a patient who is or has been under treatment for drug addiction; who has been acquitted of a crime on the grounds of mental disease, disorder, or defect; or has been diagnosed as having a significant behavioral, emotional, or mental disorders; to report that treatment to the department of health, which shall forward the information to the chief of police of the respective county. Provides that the chief of police shall inspect of this information against registration records to ensure compliance with this provision, and shall seize all firearms, ammunition, and firearms owner identification card upon a reasonable belief that the patient poses a risk to the safety and welfare of the patient or the community. -- Establishes provision relating to disclosure for firearm permit and registration purposes. Provides that a health care provider or public health authority may disclose protected health information relating to an individual's mental health history to the appropriate county chief of police for the purposes of evaluating the individual's request for a permit to acquire a firearm or re registration of a firearm; provided that the individual has signed a waiver to that effect. -- SB2151 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2152 SD1 (SSCR 2080)

RELATING TO THE INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS. Senator Chumbley (586-6030)

Establishes the interstate compact for the supervision of adult offenders. Authorizes adult offenders, pursuant to the bylaws and rules of this compact to travel across state lines both to and from each compacting state in such a manner as to track the location of offenders, transfer supervision authority, and when necessary return offenders to the originating jurisdictions. Requires the creation of the interstate commission for adult offender supervisions. Requires each member state to create a state council for interstate adult offender supervision. -- Establishes the state council for interstate adult offender supervision for Hawaii within the judiciary. Annual report to the legislature. -- Requires the governor to execute the compact on behalf of the State. -- SB2152 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to PSM/ JHA/ then FIN (586-8490)

SB2153 SD1 (SSCR 2442)

RELATING TO ABUSE OF FAMILY OR HOUSEHOLD MEMBERS. Senator Chumbley (586-6030)

Establishes provision relating to abuse of family or household member. Defines dangerous instrument, family or household member, serious bodily injury, and terroristic threatening. Establishes abuse of family or household member in the 1st, 2nd and in the 3rd degree. Provides criteria. -- Provides that if a police officer has reasonable grounds to believe that a person is abusing a family or household member, the officer may arrest the person, order the person to leave the premises; and seize all firearms and ammunition used in the commission of the offense. -- Requires offenders to undergo any available domestic violence intervention programs ordered by the court. -- Provides that a family or household member who has been abused by another person may petition the family court for a penal summons or arrest warrant to issue forthwith or may file a criminal complaint through the prosecuting attorney of the applicable county. -- Provides that any officer who arrests a person for domestic abuse shall not be subject to any civil or criminal liability; provided that the police officer acts in good faith. -- Amends provision relating to sentencing of repeat offenders. Provides that any person convicted of abuse of family or household member in the 1st degree shall be sentenced to a mandatory minimum period of imprisonment without possibility of parole. -- Repeals provision relating to

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abuse of family or household members; penalty. -- Provides that the legislative reference bureau shall prepare proposed conforming legislation to make necessary amendments to statutes affected by the repeal of provision relating to abuse of family or household members; penalty. Further provides that the legislative reference bureau shall transmit such proposed legislation to the legislature not later than 20 days prior to the convening of the regular session of 2001. -- SB2153 SD1

Mar-07 00 Introduction/Passed First Reading - House

Mar-07 00 Single Referral to JHA (586-8480)

SB2154 SD1 (SSCR 2443)

RELATING TO PROTECTIVE ORDERS. Senator Chumbley (586-6030)

Amends the domestic abuse protective orders law. Defines dating relationships. Amends the definition of family or household members to include persons in or formerly in a dating relationship. -- Provides that if the petitioner alleges to be a family or household member on the basis of being in a dating relationship with the respondent, the court shall make a determination whether the petition qualifies on this basis and shall include written findings in any restraining or protective order issued. Provides criteria. -- Amends provision relating to protective order by increasing the length of time an initial protective order may be issued from 3 years to 5 years. Provides that the court shall make findings on the record with respect to whether the respondent was given reasonable notice and an opportunity to be heard and the extended protective order is necessary to prevent domestic abuse or a recurrence of abuse. Further Provides that there shall be no limit on the number of times a protective order may be extended. -- Amends provision relating to violation of an order for protection. Provides that for a 1st conviction for the violation of the protective order, the person shall serve a mandatory minimum jail sentence of 48 hours and be fined not less than 150 dollars; any subsequent violations will require a mandatory minimum jail sentence of 30 days and a fine not less than 250 dollars. -- Establishes provision relating to foreign protective orders. Provides that any valid protective order, issued by a court or tribunal of another state, tribe, or territory of the US shall be accorded full faith and credit by the courts of this State, and shall be enforced as if it were an order issued in this State. -- SB2154 SD1

Mar-07 00 Introduction/Passed First Reading - House

Mar-07 00 Single Referral to JHA (586-8480)

SB2160 SD1 (SSCR 2446)

RELATING TO GENERAL EXCISE TAX. Senator Fukunaga (586-6890)

Amends general excise tax provisions to allow contractors to report on a cash basis provided the taxpayer notifies the department of taxation of the basis upon which the tax imposed is to be reported. -- SB2160 SD1

Mar-07 00 Introduction/Passed First Reading - House

Mar-07 00 Multiple Referral to EDB then FIN (586-6530)

SB2163 SD1 (SSCR 2763)

RELATING TO AEROMEDICAL SERVICES. Senator Levin (586-6760)

Adds to the standards of the emergency medical services systems that aeromedical services for the county of Hawaii shall be provided on a 24 hour basis by a permanently assigned paramedic crew. Appropriation. (\$\$) -- SB2163 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to HLT then FIN (586-6380)

SB2164 SD2 (SSCR 2734)

RELATING TO THE ORGANIC AGRICULTURE INDUSTRY. Senator Levin (586-6760)

Establishes provision relating to organically produced agricultural products. Defines agricultural product, certifying agent, certified organic, department, livestock, person, processed, secretary, and small farmer. Requires the department of agriculture to adopt rules; define standards for organically

## SENATE BILLS WHICH PASSED THIRD READING

produced agricultural products; establish requirements for accreditation and registration of certifying agents; establish requirements for labeling of organically produced products; and any other requirements necessary. Establishes the accreditation of certifying agents provision. Requires the certifying agent seeking accreditation to submit all logos, marks, or other indicia which will be used to identify organically produced agricultural products produced by persons certified by them. Exempts small farmers selling their products directly to the final consumer. Prohibits small farmers to use the term certified organic or terms implying that their product has been certified by a certifying agent. Establishes the administrative penalties for violations. -- SB2164 SD2

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to AGR then JHA then FIN (586-6010)

SB2165 SD1 (SSCR 2749)

RELATING TO NATUROPATHIC PHYSICIANS. Senator Levin (586-6760)

Amends immunization upon entering school and tuberculosis clearance by allowing certification from a licensed naturopathic physician. Amends physical examination certification by allowing certification from a licensed naturopathic physician. -- SB2165 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to EDN then HLT then CPC (586-8470)

SB2166

RELATING TO WIND FARMS. Senator Levin (586-6760)

Amends provision relating to state enterprise zones. Redefines qualified business to include a business engaged in producing electric power from wind energy for sale primarily to a public utility company for resale to the public. Also provides a general excise tax and use tax exemption for the sale of electric power to a public utility for resale to the public. -- SB2166

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to EEP/ EDB/ then FIN (586-8435)

SB2171 SD1 (SSCR 2528)

RELATING TO DISASTER RELIEF. Senator Kanno (586-6830)

Establishes provision relating to paid leave for state and county employees providing disaster relief services for the American Red Cross. Provides that the governor or mayor, or their respective designees, may grant a state or county employee who is a certified American Red Cross disaster volunteer up to 30 days of paid leave of absence to perform disaster relief services for the American Red Cross. Provides criteria. Further provides that the State or counties shall not be liable for workers' compensation claims arising from accident or injury while on assignment as a certified American Red Cross disaster service volunteer. -- SB2171 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2181 SD1 (SSCR 2593)

RELATING TO PUBLIC LAND TRUST. Senator Hanabusa (586-7793)

Amends provision relating to public land trust. Appropriation to the office of Hawaiian affairs for the betterment of Hawaiians and native Hawaiians. Provides that for income and proceeds from the pro rata portion of the public land trust shall be credited toward the State's 20 per cent revenues owed from the public land trust, until the ceded lands inventory is completed. Provides that if the sum appropriated is less than the state owes, then the state shall make an additional payment equaling the difference between the sum appropriated and the amount owed, and if the sum appropriated is more than what State owes, then the State shall be credited the difference between the amount owed and the sum appropriated. (\$\$) -- SB2181 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2186 SD2 (SSCR 2697)

RELATING TO INSURANCE. Senator Kanno (586-6830)

Establishes provisions for an independent bill reviewer. Provides that a

## SENATE BILLS WHICH PASSED THIRD READING

reviewer is an individual who acts on behalf of either the insurer as an independent contractor or as an employee of an independent contractor and reviews or audits billings for medical services. Establishes provisions for the compensation and qualifications of a reviewer. Requires the insurance commissioner to license reviewers. Includes a licensing fee and service fee. Creates a permanent position to carry out the purposes of this Act. Appropriation. (\$\$) -- SB2186 SD2

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to CPC then FIN (586-6150)

SB2192 SD2 (SSCR 2495)

RELATING TO THE WHISTLEBLOWER PROTECTION ACT. Senator Kanno (586-6830)

Amends the whistleblowers' protection Act by prohibiting an employer to discharge, threaten, or otherwise discriminate against an employee because the person reports or is about to report to the employer or a public body a violation or suspected violation of a law, rule, regulation, or ordinance designed to protect the interest of the public, is true. Allows a person who alleges a violation to bring civil action for appropriate injunctive relief, or actual damages, or both within 2 years after the occurrence of the alleged violation. Increases the maximum amount of fines per violation from 500 dollars to 10,000 dollars. -- SB2192 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2194 SD1 (SSCR 2603)

RELATING TO INCOME TAX CREDITS. Senator Kanno (586-6830)

Provides a cardiopulmonary resuscitation certification income tax credit upon successful completion of an accredited cardiopulmonary resuscitation course. -- SB2194 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2200 SD1 (SSCR 2661)

RELATING TO THE PUBLIC UTILITIES COMMISSION. Senator Taniguchi (586-6460)

Amends the public utilities special fund by providing that all moneys in excess of the greater of 1 million dollars or 2/3 of the moneys remaining on balance in the fund shall lapse to the credit of the state general fund on June 30 of each year. Requires the public utilities commission's annual report to the legislature to specify the use of the commission's expenditures that are attributable to the additional funding. Act to be repealed on July 1, 2005 (sunset). -- SB2200 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2201

RELATING TO PUBLIC SERVICE. Senator Ihara (586-6250)

Amends provision relating to public service. Defines eligible public officers to mean the governor, the lieutenant governor, the members of both houses of the legislature, the directors and deputy directors of public departments and temporary authorities created by state statute or the state constitution, the members of the public boards and commissions created by state statute or the state constitution, and all those who occupy any similar position in the government of the State or any political subdivision thereof. -- SB2201

Mar-07 00 Introduction/Passed First Reading - House

Mar-07 00 Multiple Referral to LMG then JHA (586-6270)

SB2205 SD1 (SSCR 2653)

RELATING TO NONPROFIT CORPORATIONS. Senator Ihara (586-6250)

Establishes provisions relating to the tax exempt status of private foundations. Prohibits any nonprofit corporation which is a private foundation to engage in any act of self dealing, retain any excess business holdings, make any investments in such a manner as to subject it to tax, and make any taxable expenditures. Provides that each nonprofit corporation shall distribute such amounts at such time and in such manner as shall be required so as not to subject it to tax. -- SB2205 SD1

## SENATE BILLS WHICH PASSED THIRD READING

Mar-09 00 Introduction/Passed First Reading - House

SB2218 SD1 (SSCR 2368)

RELATING TO NEW CENTURY CHARTER SCHOOLS. Senator Chumbley (586-6030)

Amends immunity from or indemnification for civil liability provisions to include members of the local school board of any new charter school. -- Amends new century charter school provisions. allows a group of teachers to submit a letter of intent to the board of education for the establishment of a charter school. Requires the legislative auditor to also consider the advice of the local school board in setting the allocation of state general funds. Also requires the auditor to consider changes to the department's budget made by the governor and to develop a methodology for allocating funds that can be applied to various forms of alternatives to public schools. Appropriation to the department of education to establish 22 additional new century charter schools and for the hiring of additional school personnel. (\$\$) -- SB2218 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to EDN then LMG then LAB/ FIN/ (586-8470)

SB2219 SD1 (SSCR 2294)

RELATING TO PUBLIC SCHOOL FACILITIES. Senator Chumbley (586-6030)

Amends the provision which allows the department of education to enter into contracts, leases, lease purchase agreements, or other transactions as may be necessary for the acquisition of public school facilities by providing an exemption from managing of finance agreement provisions. Also changes the authority for approval from the comptroller to the board of education and requires that a written notice be provided to the director of finance regarding the transaction. -- Requires the department of education to enter into a lease agreement for a Kihei charter public high school. -- SB2219 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to EDN then FIN (586-8470)

SB2220 SD1 (SSCR 2540)

RELATING TO THE REMOVAL OF NUISANCE SEAWEED. Senator Chumbley (586-6030)

Provides that the director of public safety, with the approval of the governor, may enter into an agreement with the mayor of a county to use inmate labor from a community correctional center to remove nuisance seaweed from the shoreline and nearshore waters of the State. Provides criteria. -- SB2220 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2221 SD1 (SSCR 2484)

RELATING TO ETHANOL. Senator Chumbley (586-6030)

Provides an ethanol producer income tax credit of 40 cents per gallon of qualifying ethanol production of fuel grade ethanol produced at a qualifying ethanol production facility. Defines qualifying ethanol production as ethanol produced from renewable, organic feedstocks, or waste materials, including municipal solid waste. Requires all qualifying production to be fermented, distilled, and dehydrated at the facility. Defines qualifying ethanol production facility as a facility located in the State which produces motor fuel grade ethanol meeting the minimum specification by the American Society of Testing and Materials standard D-4806. -- SB2221 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2224

RELATING TO LAND USE. Senator Chumbley (586-6030)

Amends provision relating to landowner liability to include a trespasser entering private land for any purpose, in the definition of a recreational user. -- SB2224

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to WLU then JHA (586-6110)

SB2245 SD1 (SSCR 2726)

RELATING TO MEDICAL FEE SCHEDULES. Senator Nakata (BR) (586-7330)

Establishes the medical fee schedule advisory council within the department of

## SENATE BILLS WHICH PASSED THIRD READING

labor and industrial relations to assist and advise the director in adjusting the medical fee schedule and other matters concerning the medical fee schedule and medical services. -- Amends provisions relating to workers' compensation by allowing the director of labor and industrial relations to establish an additional fee schedule, on the recommendation of the medical fee schedule advisory council, if the director determines that an allowance under the medicare program is not reasonable or if a medical treatment, accommodation, product, or service existing as of June 30, 1999 is not covered under the program. -- SB2245 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to LAB then CPC then FIN (586-8450)

SB2247 SD1 (SSCR 2392)

RELATING TO FERAL ANIMALS. Senator Nakata (BR) (586-7330)

Establishes a temporary managed cat colony task force within the office of the director of health to address the trap / neuter / return program as a solution to health concerns raised by cat overpopulation. Requires the task force to address cat related health concerns. Interim and final report to the legislature. Prohibits the department to adopt any rules relating to feral animals and suspend any rules already in effect until the task force has completed its discussions and made its recommendations. -- SB2247 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to HLT then FIN (586-6380)

SB2254 SD1 (SSCR 2360)

RELATING TO PRIVACY OF HEALTH CARE INFORMATION. Senator Nakata (BR) (586-7330)

Amends provisions relating to privacy of health care information by repealing the requirement that an entity may only use or disclose protected health information within the entity for the purposes of treatment or qualified health care operations. -- SB2254 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to HLT then CPC/ JHA/ (586-6380)

SB2277 SD1 (SSCR 2384)

RELATING TO THE LAND COURT. Senator Taniguchi (586-6460)

Amends provision relating to land court registration by including definition of state to mean the state of Hawaii. Amends provision relating to registration application to include that application for registration of title may be made by an unincorporated nonprofit association by a person authorized in a statement of authority recorded in the office of the assistant registrar of the land court or with the registrar of conveyances in the bureau of conveyances. -- Amends provision relating to filing liens, etc., notice to include that every conveyance, lien, order, or entry affecting registered land shall contain a reference to the number of the certificate of title and an indorsement of the current certificate of title, if applicable, of the land to be affected. -- SB2277 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Single Referral to JHA (586-8480)

SB2278 SD1 (SSCR 2501)

RELATING TO CAPTIVE INSURANCE. Senator Taniguchi (586-6460)

Establishes provisions for a captive insurance company domiciled in the State to be converted into or merged with a different form of captive insurer. Requires the approval of a plan of conversion or merger by the insurance commissioner and filings with the director of commerce and consumer affairs. -- SB2278 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2279 SD1 (SSCR 2502)

RELATING TO UTILITY LINES. Senator Taniguchi (586-6460)

Establishes that it is the policy of the State with regard to the placement of utility lines to place a high value on the aesthetic benefit of the natural landscape in residential and conservation zoned districts. Adds that the public utilities commission shall evaluate culturally significant areas including burial sites



## SENATE BILLS WHICH PASSED THIRD READING

when making determinations for transmission systems. -- SB2279 SD1  
Mar-09 00 Introduction/Passed First Reading - House

SB2282 SD1 (SSCR 2503) RELATING TO THE PUBLIC UTILITIES COMMISSION. Senator Taniguchi (586-6460)  
Establishes that whenever a public utility engaged in the production, conveyance, transmission, delivery, or furnishing of light and power proposes a capital project within a conservation district for which an environmental impact statement is required, the public utilities commission shall issue an order authorizing or denying the need and scope of the project prior to the acceptance of a completed application for a conservation district use permit by the department of land and natural resources. -- SB2282 SD1  
Mar-09 00 Introduction/Passed First Reading - House

SB2283 SD1 (SSCR 2504) RELATING TO THE PUBLIC UTILITIES COMMISSION. Senator Taniguchi (586-6460)  
Establishes that the public utilities commission may require the parties in any matter to participate in non binding arbitration, mediation, or other alternative dispute resolution process prior to hearing. -- SB2283 SD1  
Mar-09 00 Introduction/Passed First Reading - House

SB2287 SD1 (SSCR 2385) RELATING TO THE PUBLIC UTILITIES COMMISSION. Senator Taniguchi (586-6460)  
Requires the director of taxation to allow taxpayers to designate and pay a voluntary contribution to the underground conversion fund on their annual income tax return. -- Establishes the underground conversion fund administered by the public utilities commission into which shall be deposited excess moneys in the public utilities special fund and voluntary contributions. Provides that the fund shall be used for the conversion of overhead utility lines to underground facilities. Requires the commission to establish criteria for allocating funds to counties that determine undergrounding zones through special improvement districts by ordinance. -- SB2287 SD1  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to EEP then CPC then FIN (586-8435)

SB2289 SD2 (SSCR 2533) RELATING TO PREPAID TELEPHONE CALLING SERVICE. Senator Taniguchi (586-6460)  
Establishes a general excise tax on sales of telecommunications services through prepaid telephone calling service. Provides that when a person sells prepaid telephone calling services to a licensed retail merchant, jobber, or other licensed seller for the purposes of resale the person shall be taxed as a wholesaler selling tangible personal property to a licensed retailer. Provides that all other sales shall be retail sales taxed at the rate of 4 per cent. Provides that the taxes paid shall be in lieu of public service company taxes. -- SB2289 SD2  
Mar-09 00 Introduction/Passed First Reading - House

SB2292 SD1 (SSCR 2688) RELATING TO INSURANCE CODE. Senator Taniguchi (586-6460)  
Replaces the application of the Health Insurance Portability and Accountability Act of 1996, PL 104-191 to the application of title 42 US Code section 300 (GG), et seq. as it relates to group and individual health insurance and to long term care insurance. -- SB2292 SD1  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Single Referral to CPC (586-6150)

SB2293 RELATING TO INSURANCE. Senator Taniguchi (586-6460)  
Establishes that any request for approval by the insurance commissioner shall be deemed granted on the 30th day if the commissioner does not take any

## SENATE BILLS WHICH PASSED THIRD READING

affirmative action to grant or deny the request. Repeals the requirement that the insurance commissioner hold public hearings on workers' compensation rate filings. -- SB2293

Mar-02 00 Introduction/Passed First Reading - House

Mar-07 00 Single Referral to CPC (586-6150)

SB2296

RELATING TO UNIFORM DISCLAIMER OF PROPERTY INTERESTS ACT.

Senator Taniguchi (586-6460)

Repeals provision relating to disclaimer of property interests and establishes the uniform disclaimer of property interests Act. Establishes provisions relating to power to disclaim; disclaimer of interest in property; disclaimer of rights of survivorship in jointly held property; disclaimer of interest by trustee; disclaimer of power of appointment or other power not held in fiduciary capacity; disclaimer by appointee, object, or taker in default of exercise of power of appointment; disclaimer of power held in fiduciary capacity; delivery or filing; when disclaimer barred or limited; tax qualified disclaimer; recording of disclaimer; and application to existing relationships. Provides definitions.-- SB2296

SB2296

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Single Referral to JHA (586-8480)

SB2299 SD1 (SSCR 2211)

RELATING TO HARBORS. Senator Kawamoto (586-6970)

Changes the boundaries for the Kakaako community development district (exclude piers 1 and 2 at Fort Armstrong). Excludes the property line between pier 2 and pier 4 and includes the Keawe drainage canal, Keawe street and Ala Moana boulevard. -- SB2299 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to TRN then WLU then FIN (586-6180)

SB2300 SD2 (SSCR 2563)

RELATING TO HARBORS. Senator Kawamoto (586-6970)

Allows the department of transportation and the department of land and natural resources to enter into a cost containment contract with a private party for any public improvement to or construction of a state harbor, commercial harbor, roadstead, or other waterfront improvement belonging to or controlled by the State, if the director of transportation or the board of land and natural resources determines that it promotes the best interest of the State. Requires the contract to be subject to public moneys and contracts and Hawaii procurement code provisions. Requires a contract over 2 million but less than 5 million dollars to be approved by the legislature. -- SB2300 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2301 SD2 (SSCR 2701)

RELATING TO HARBORS. Senator Kawamoto (586-6970)

Requires the department of transportation to have and exercise all powers to control and manage maritime land which is land required for commercial and industrial activities that are dependent on being adjacent to the harbor. -- SB2301 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2303 SD2 (SSCR 2590)

RELATING TO HARBORS. Senator Kawamoto (586-6970)

Amends public service company tax provisions to establish that tax revenues from passenger ticket sales from contract carriers by water engaged in the business of transporting persons between harbors or wharves of the various counties for interisland cruises, from vessels placed in service in Hawaii before December 2, 2000, shall be deposited into the general fund and from vessels placed in service after December 1, 2000, shall be deposited into the harbor special fund. Reduces the percentage deposited into the harbor special fund until 2010 where 0 per cent will be deposited into the fund (sunset). Requires the moneys from the tax to be used by the department of transportation to

## SENATE BILLS WHICH PASSED THIRD READING

finance necessary passenger cruise facilities around the State. Includes berthing ports at Honolulu Harbor, Kahului Harbor, Nawiliwili Harbor, Port Allen, Hilo Harbor, Kawaihae Harbor, and Kaunakakai Harbor. Also includes anchor ports at Lahaina, Kikilaola, Hanalei, Wailoa, Kailua-Kona, and Manele. Allows the department of land and natural resources to request moneys from the fund for specific harbors and itemized repairs for those specific harbors. -- SB2303 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2304 SD1 (SSCR 2505)

RELATING TO THE MOTOR CARRIER LAW. Senator Kawamoto (586-6970) Amends the motor carrier law to require that any motion for reconsideration or rehearing by the public utilities commission be determined and an order issued by the commission within 45 days from the filing date of the motion. -- SB2304 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2306 SD2 (SSCR 2654)

RELATING TO MOTOR CARRIERS. Senator Kawamoto (586-6970) Amends the motor carrier law provision which prohibits a person to engage in a common carrier by motor vehicle business unless that carrier has a certificate of public convenience and necessity issued by the public utilities commission by establishing factors that the commission shall consider in order to grant a certificate. Also establishes that if a person engages in motor carrier activity without a certificate, without written authority granted by the commission, the commission shall deny any subsequent application for a permanent certificate or permit for contract carrier by motor vehicle for a period of 2 years. -- SB2306 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2307 SD2 (SSCR 2655)

RELATING TO MOTOR CARRIERS. Senator Kawamoto (586-6970) Amends the motor carrier law. Requires the public utilities commission to consider an applicant for authority to carry more than 7 passengers to be considered for authorization for only proposed service, routes and vehicle as described with particularity in the application for a certificate of public convenience and necessity or in the application for a permit for contract carriers by motor vehicle. Requires the application to describe fully and accurately the proposed service, routes and vehicles types, whether they are standard vehicles, such as tractor trailers, dump trucks, or motor coaches, or whether they are specialty vehicles, such as trolleys, double decker buses, or articulated buses or the application will be denied. -- SB2307 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2308 SD2 (SSCR 2447)

RELATING TO TAXATION. Senator Kawamoto (586-6970) Provides that the counties shall be reimbursed for amounts of general excise taxes passed on to them by general excise tax licensees and paid by the county. Requires the counties to submit an itemized claim to the director of finance. Provides that the reimbursement for the fiscal years 2001 - 2002 and 2002 - 2003 shall be \_\_\_\_ per cent of the total itemized claim and for fiscal years 2003 - 2004 and 2004 - 2005 shall be \_\_\_\_ per cent of the total itemized claim (sunset). -- SB2308 SD2

Mar-07 00 Introduction/Passed First Reading - House

Mar-07 00 Single Referral to FIN (586-6200)

SB2311 SD1 (SSCR 2324)

RELATING TO MANDATORY USE OF SEATBELTS. Senator Kawamoto (586-6970)

Amends seat belt assembly provisions by prohibiting any person to operate a motor vehicle or be a passenger in a motor vehicle upon any public highway unless the person is restrained by a seat belt assembly. -- SB2311 SD1

Mar-09 00 Introduction/Passed First Reading - House

## SENATE BILLS WHICH PASSED THIRD READING

Mar-09 00 Multiple Referral to TRN then JHA (586-6180)

SB2312 SD1 (SSCR 2534)

RELATING TO A HOISTING MACHINE OPERATORS CERTIFICATION REVOLVING FUND. Senator Kawamoto (586-6970)

Appropriation to the department of labor and industrial relations' occupational safety and health division for deposit into the hoisting machine operators certification revolving fund. Appropriation out of the hoisting machine operators certification revolving fund for purposes specified in provision relating to hoisting operators certification revolving. (\$\$) -- SB2312 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2316 SD1 (SSCR 2678)

RELATING TO DRIVER'S LICENSES. Senator Kawamoto (586-6970)

Allows the examiner of drivers to provide a written examination in a foreign language provided the applicant demonstrates an ability to read and understand simple English used in highway traffic and directional signs. -- SB2316 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2317 SD2 (SSCR 2662)

RELATING TO BOARDS OF WATER SUPPLY. Senator Kawamoto (586-6970)

Allows that any board of water supply in a county with a population of more than 500,000 to establish a pilot program. Provides that the board of water supply may exercise all powers, functions, duties relating to governing the classification and reclassification of positions found in civil service and compensation provisions; create flexible job descriptions in order to meet the requirements of technology and efficiency; provide bonus monetary payments to be shared by a team of employees for efficiencies or benchmarks developed by the board of water supply and the team. Requires the board of water supply to consult with the appropriate exclusive representative of a bargaining unit on changes in job description and classifications and to negotiate pricing as appropriate. Provides that the board of water supply may enter into memorandum of agreements with the exclusive bargaining representatives on matters subject to negotiation that are unique to the board. Act to be repealed on June 30, 3005 (sunset). -- SB2317 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2318 SD2 (SSCR 2667)

RELATING TO ADMINISTRATIVE REVOCATION OF DRIVER'S LICENSES. Senator Kawamoto (586-6970)

Amends administrative revocation of driver's license provisions to include motor vehicle registration. Defines household member, qualified household member, repeat intoxicated driver, and temporary vehicle registration. Redefines administrative revocation to mean the termination of the arrestee's driver's license or all motor vehicles registered to the arrestee, or both. Establishes that the registrations of all motor vehicles registered to the arrestee shall be terminated 30 days after the date of arrest following previous convictions of driving under the influence of intoxicating liquor or habitually driving under the influence of intoxicating liquor or drugs. Requires the arresting officer to cause to remove and revoke the license plates (number plates) of the vehicle driven by the arrestee and issue a temporary motor vehicle license plate and registration to the arrestee. Allows the administrative director of the courts to grant restricted registration to a member of the arrestee's household, or to a co owner of any motor vehicle owned by the arrestee upon determination that the person is completely dependent on the motor vehicle for the necessities of life. Establishes failure to surrender license plates provisions, special motor vehicle registration provisions, and provisions prohibiting the transferring of vehicles with revoked license plates. Increases the penalties for the 2nd and 3rd offenses of driving under the influence of intoxicating liquor. -- SB2318 SD2

Mar-09 00 Introduction/Passed First Reading - House

## SENATE BILLS WHICH PASSED THIRD READING

SB2320 SD1 (SSCR 2344)

RELATING TO A LONG-TERM CARE COMMISSION. Senate President Mizuguchi (BR) (586-6870)

Establishes the long term care commission within the office of the lieutenant governor. Requires the commission for long term care, disability, and elderly services to coordinate all long term care, disability, and elderly services functions of the State; conduct research and make recommendations to the governor and legislature on policy and funding issues; act in a planning capacity for long term care, disability, and elderly services; engage, as appropriate, in grant writing and technical assistance to support the activities of the commission and to provide assistance to public and private agencies and organizations involved with long term care, disability, and elderly services. Provides that the commission for long term care, disability, and elderly service shall be composed of 13 members to be appointed by the governor. Appropriation to the office of the lieutenant governor. (\$\$) -- SB2320 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to HSH/ HLT/ then FIN (586-6050)

SB2326 SD1 (SSCR 2750)

RELATING TO PUBLIC EMPLOYEE BENEFITS. Senator Kanno (586-6830)

Amends provision to the supplemental plan to federal Medicare. Provides that in the case of an employee beneficiary that is a retired employee and spouse who participates in the supplemental plan to federal Medicare of an employee organization, the employee beneficiary shall be entitled to the same amount paid by the fund to employee beneficiaries who participate in the supplemental plan to federal Medicare established by the fund and who have enrolled in the voluntary medical insurance coverage under the federal Medicare plan. -- SB2326 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Single Referral to LAB/ FIN/ (586-8450)

SB2333 SD2 (SSCR 2748)

RELATING TO CONDOMINIUMS PROPERTY REGIMES. Senator Kanno (586-6830)

Amends provision relating to priority of lien. Provides that the board of an association of apartment owners may specially assess the amount of the unpaid regular monthly common assessments for common area expenses against a person who, in a judicial or nonjudicial power of sale foreclosure, purchases a delinquent apartment. Provides criteria. Provides that the amount of the special assessment assessed shall not exceed the total amount of unpaid regular monthly common assessments that were assessed during the 6 months immediately preceding the completion of the judicial or non judicial power of sale foreclosure, and for which the association of apartment owners had filed a notice of lien against the delinquent apartment, nor shall the amount of the special assessment exceed the amount of 1,800 dollars. Defines completion and regular monthly common assessment. Requires Act to be repealed on December 31, 2003 (sunset). -- SB2333 SD2

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Single Referral to CPC (586-6150)

SB2342 SD1 (SSCR 2550)

RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES. Senator Chumbley (586-6030)

Authorizes the issuance of special purpose revenue bonds to assist Hawaii Taro Company in planning and building a processing plant. Requires the department of budget and finance to process applications in accordance with the requirements of its "formal application for financing of an industrial enterprise" as it existed on October 22, 1987. Report to the legislature. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB2342 SD1

Mar-09 00 Introduction/Passed First Reading - House

## SENATE BILLS WHICH PASSED THIRD READING

SB2343 SD1 (SSCR 2681)

RELATING TO THE HAWAII HEALTH SYSTEMS CORPORATION. Senator Buen (586-7340)

Amends definition of employer or public employer to include the board of directors of the Hawaii health systems corporation in the case of the Hawaii health systems corporation. -- SB2343 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Single Referral to LAB/ FIN/ (586-8450)

SB2345 SD2 (SSCR 2723)

RELATING TO RENEWABLE ENERGY RESOURCES. Senator Fukunaga (586-6890)

Requires each qualified electric utility company which sells electricity for consumption to implement a 7.5 per cent renewables portfolio standard effective January 1, 2002, which shall be increased .25 per cent each year up to a maximum of 9.5 per cent on January 1, 2010. Further requires that beginning January 1, 2010, the renewable portfolio shall be increased to minimum of \_\_\_\_ per cent by January 1, 2020. Defines renewables portfolio standard as the percentage of electric power consumed in Hawaii that must be derived from renewable energy. -- Requires the public utilities commission to establish a program to issue renewable energy credits to renewable energy generators by January 1, 2001. Requires each qualified electric utility company to submit an application to the commission to prove ownership of sufficient renewable energy credits to satisfy the renewable portfolio standard for the previous year. Provides that the sale or exchange of renewable energy credits shall be valid if recorded with the commission within 90 days. Allows the commission to impose administrative penalties and any person to commence civil actions. Requires the commission to annually report to the legislature. -- SB2345 SD2

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to EEP then CPC then FIN (586-8435)

SB2348 SD1 (SSCR 2699)

RELATING TO MUNICIPAL SERVICES. Senator Fukunaga (586-6890)

Establishes provision relating to garbage, trash disposal. Provides that every county which maintains or operates any garbage or trash collection and disposal service shall collect and dispose of garbage and trash at and from any residential condominium and cooperative housing corporation communities located in a collection area where the county maintains or operates an existing garbage and trash collection and disposal service for private residential dwellings in the same collection area. Provides that upon written request of a residential condominium or cooperative housing corporation community, each county shall allow the residential condominium or cooperative housing corporation community to establish, maintain, or operate its own garbage and trash collection and disposal service. Provides that nothing in this provision shall prohibit or prevent the residential condominium or cooperative housing corporation community from paying, and any county from receiving, any sum which the residential condominium or cooperative housing corporation community may agree to pay as reasonable compensation for services provided by any county pursuant to this provision. Requires the director of environmental services of the city and county of Honolulu and the directors of the departments of public works of the counties of Hawaii, Kauai, and Maui to submit a report to the legislature and to the real estate commission. -- SB2348 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2352 SD2 (SSCR 2758)

RELATING TO COMPUTER OFFENSES. Senator Chumbley (586-6030)

Repeals and replaces existing computer crime law. Establishes the crimes of computer fraud, computer forgery, computer trespass, unlawful distribution, theft of computer services, personal trespass by computer, and computer invasion of privacy. Provides that any person who willfully uses encryption to further any criminal activity shall be guilty of an offense which is separate and distinct from the predicate criminal activity. Provides that any person whose

## SENATE BILLS WHICH PASSED THIRD READING

property or person is injured by reason of a violation of any provision of this part may sue and recover any damages sustained, including all costs of the suit. Provides that a civil action under this section must be commenced before expiration of the time period prescribed for the criminal action. Provides definitions. -- Establishes provision relating to limitation for computer crimes. Provides that prosecution of a crime under the new computer crime law shall be 5 years. -- Amends provision relating to offense of harassment by stalking to include e mail, instant messaging, or other repeated computer communication without the consent of the victim. -- SB2352 SD2

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Single Referral to JHA (586-8480)

SB2353 SD1 (SSCR 2192)

RELATING TO THE OFFICE OF INFORMATION PRACTICES. Senator Chumbley (586-6030)

Amends the provision relating to the office of information practices by placing the office within the office of the ombudsman rather than the office of the lieutenant governor. Provides that the legislature rather than governor shall appoint a director for the office who shall serve for a period of 6 years and thereafter until a successor shall be appointed. Provides that if the director dies, resigns, becomes ineligible to serve, or is removed or suspended from the office, the 1st assistant to the director shall become the acting director until new director is appointed. Provides that the salary of the director shall not be diminished during the director's term of office, unless by general law applying to all salaried officers of the State. Appropriation to the office of ombudsman. Transfers all rights, powers, functions, and duties of the office of information practices to the office of the ombudsman. (\$\$) -- SB2353 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to JHA then LMG then FIN (586-8480)

SB2354 SD1 (SSCR 2452)

RELATING TO PUBLIC ACCESS. Senator Ihara (586-6250)

Appropriation to the legislature for a legislative audio streaming pilot project. -- Appropriation to the legislative reference bureau to hire a 2nd full time staff person for the public access room. -- Appropriation to the legislature for a childcare pilot program. -- Amends provisions relating to the legislative publications special fund. Repeals the requirement that proceeds from the publication and use of legislative publications and information services in an electronic form to be deposited into the fund. -- Amends provision relating to the sale and distribution of the session laws, supplements, and replacement volumes. Transfers the authority to sell and distribute from the lieutenant governor to the legislature. Provides that money received shall be deposited into the Hawaii legislative publication special fund, rather than the general fund. -- Requires the joint legislative access committee to enter into agreements with the office of lieutenant governor, the legislative reference bureau, and any other public or private entity to ensure the efficient transfer of control and the storage of legislative publications from the office of the lieutenant governor to the legislature. (\$\$) -- SB2354 SD1

Mar-07 00 Introduction/Passed First Reading - House

Mar-07 00 Multiple Referral to LMG then FIN (586-6270)

SB2369 SD1 (SSCR 2608)

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM. Senator Levin (586-6760)

Amends provision relating to withdrawal of funds from employees pension and retirement systems. Authorizes the 1 time withdrawal of funds from the member's contributions in the event of economic hardship. Defines economic hardship. Requires the board in developing its rules to describe the kinds of verification needed in its application forms for withdrawal of funds for hardship cases; whether a member shall be vested before filing an application; the actuarial impact the withdrawal shall have on the member's future retirement

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benefits; and whether a spouse shall also be required to approve the withdrawal of funds for hardship. -- SB2369 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2374 SD1 (SSCR 2757)

RELATING TO THE PENAL CODE. Senator Chun Oakland (586-6130)

Establishes provision relating to assault in the 4th degree. Provides that a person commits the offense of assault in the 4th degree if the person intentionally, knowingly or recklessly causes bodily injury to another person; or negligently causes bodily injury to another person with a dangerous instrument.

Provides that assault in the 4th degree is a misdemeanor unless committed in a fight or scuffle entered into by mutual consent, in which case it is a petty misdemeanor. -- Amends provision relating to sentence of imprisonment for offenses against children, elder persons, or handicapped persons and provision relating to criteria for extended terms of imprisonment by increasing the age of minor from 8 years old to 12 years old. -- Raises the penalties for the offense of assault in the 1st degree to a class A felony and assault in the 2nd degree to a class B felony. Provides that a person commits the offense of assault in the 3rd degree if the person recklessly causes substantial bodily injury to another person, and raises the penalty to a class C felony. -- SB2374 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Single Referral to JHA (586-8480)

SB2387 SD2 (SSCR 2478)

RELATING TO PROCUREMENT. Senator Tam (586-6450)

Amends provision relating to sale of produce, etc.; disposition of proceeds; exceptions to include sale of assistive technology devices. Allows the department of education to sell an assistive technology device to the disabled student to whom it was assigned as the student leaves the public school system. Establishes standard to determine the sale price of the device. Provides that proceeds of the sale shall be paid into the general fund as a state realization. Provides that agencies that procure assistive technology devices and services shall receive basic orientation and training to obtain knowledge regarding the procurement of those devices and services from the assistive technology project designated for the State under the federal Assistive Technology Act of 1998. -- SB2387 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2405

RELATING TO DRIVER'S LICENSE. Senator Chun (586-7344)

Requires that when a license is issued to a person under 18 years of age the driver's license shall indicate when the person will attain the age of 18. -- SB2405

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to TRN then JHA (586-6180)

SB2409 SD1 (SSCR 2240)

RELATING TO TAXATION. Senate President Mizuguchi (586-6870)

Provides a general excise tax exemption for amounts received from a person operating a call center by a person engaged in business as a telecommunications common carrier for interstate or foreign telecommunications services, including toll free telecommunications, telecommunication capabilities for electronic mail, voice and data telecommunication, computerized telephone support, facsimile (fax), wide area telecommunication services, or computer to computer communication. Provides that public service company tax shall not apply to such persons and businesses. Further provides that these exemptions shall not apply to gross proceeds or gross income received after June 30, 2010 (sunset). -- SB2409 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to EDB then FIN (586-6530)



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SB2411 SD1 (SSCR 2735)

RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR PROCESSING ENTERPRISES. Senate President Mizuguchi (586-6870)

Authorizes the issuance of special purpose revenue bonds to assist Kauai Coffee Company, Incorporated in planning and building a processing plant for freeze dried coffee. Requires the department of budget and finance to evaluate Kauai Coffee Company, Inc.'s application for financing of the processing plant and to report to the legislature. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB2411 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to AGR then FIN (586-6010)

SB2412 SD1 (SSCR 2569)

RELATING TO THE AUDITOR. Senate President Mizuguchi (586-6870)

Amends provision relating to the duties of the legislative auditor. Provides that on a cyclical basis, the auditor shall conduct managerial accountability audits of all executive departments, the judiciary, and their appropriate organizational units. Requires the auditor to identify the managerial levels or positions responsible for the performance of the entity under audit; to use the performance standards of the auditee or any other standards appropriate to the entity and the managerial level under audit; and to integrate the audits into other audits, or conduct the audits as stand alone audits. Provides that following the issuance of each managerial accountability audit report, the auditee shall submit the report to the auditor in 6 months and 12 months on the progress in making corrections or improving operations. Further provides that the auditor may reaudit, or in any other manner to confirm the representations of the auditee and shall report to the legislature. -- SB2412 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2416 SD1 (SSCR 2751)

RELATING TO PUBLIC ACCESS. Senator Ihara (586-6250)

Provides that in any future contract with a public access organization, the department of commerce and consumer affairs shall require that the public access organization comply with the state sunshine laws (public agency meetings and records laws) and the uniform information practices Act. -- SB2416 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2419 SD1 (SSCR 2386)

RELATING TO CAPITAL ACCESS PROGRAM. Senator Ihara (586-6250)

Establishes the capital access program law. Requires the department of business, economic development, and tourism to establish a capital access program to assist a participating financial institution in making loans to businesses and nonprofit organizations that face barriers in accessing capital. Requires an eligible financial institution to participate in the program to enter into an agreement with the department under which the department will make contributions to the institution's reserve account and specifies the criteria for a loan to qualify as a capital access loan. Provides that the participating institution making a loan shall establish a reserve account, on approval by the department and after entering into an agreement. Account to be used by the institution only to cover any losses arising from a default of a capital access loan made by the institution. Requires participating institutions to annually report to the department. Requires the department to annually report to the legislature. -- SB2419 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to EDB then FIN (586-6530)

SB2420 SD2 (SSCR 2783)

RELATING TO TECHNOLOGY. Senator Fukunaga (586-6890)

Establishes the new economy technology scholarship pilot program within the department of business, economic development, and tourism. Allows the department to provide scholarship grants to an eligible student upon

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confirmation from an approved educational institution that the student has been accepted for enrollment in an approved course of study. Requires a written agreement with the department and the student which includes the commencement of employment in this State within 1 year after completion of an approved undergraduate degree or certificate program for a period of 1 year for each year of scholarship. Requires the department in cooperation with the Hawaii workforce development council to establish a list of approved courses of study for the program. Annual report by the department to the governor and legislature. Appropriation. Act to be repealed on June 30, 2005 (sunset). (\$\$)  
-- SB2420 SD2

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to EDB/ HED/ then FIN (586-6530)

SB2421 SD1 (SSCR 2463)

RELATING TO TAXATION. Senator Fukunaga (586-6890)

Provides an income tax refund check off for the youth conservation corps, youth for environmental services, or the sierra club, Hawaii chapter. -- SB2421 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2426 SD1 (SSCR 2043)

RELATING TO CRIME VICTIM COMPENSATION. Senator Matsunaga (586-7100)

Amends provisions relating to criminal injuries compensation. Adds the definition of mass casualty incident to mean an incident with multiple deceased victims, killed during a continuous course of criminal conduct. Authorizes the criminal injuries compensation commission to order the payment of compensation in cases involving a mass casualty incident for mental health counseling to or for the benefit of a relative of the deceased victim, a witness to the incident, or an individual engaged in business or educational activities at the scene of the incident. Provides that compensation to a victim shall have priority over compensation to a relative, witness, or another individual under this provision. -- SB2426 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to PSM/ JHA/ then FIN (586-8490)

SB2427 SD1 (SSCR 2775)

MAKING AN APPROPRIATION FOR COMPENSATION OF CRIME VICTIMS.

Senator Chumbley (586-6030)

Appropriation to the department of public safety to be deposited into the crime victim compensation special fund for compensating victims of crime pursuant to criminal injuries compensation law. (\$\$) -- SB2427 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to JHA then FIN (586-8480)

SB2429 SD2 (SSCR 2480)

RELATING TO CRIME. Senator Matsunaga (586-7100)

Amends provisions relating to extended terms of imprisonment to include a defendant who is a hate crime offender whose imprisonment for an extended term is necessary for the protection of the public. -- Establishes provision relating to hate crime reporting. Defines hate crime to mean any criminal act in which the perpetrator intentionally selected a victim, or in case of a property crime, the property that was the object of a crime, because of hostility toward the actual or perceived race, color, religion, ancestry, national origin, gender, transgender, sexual orientation, age, or disability of any person. Defines hate crime data, incident report, sexual orientation, and transgender. Requires the department of the attorney general to be responsible for the collection, storage, dissemination, and analysis of all hate crime data. Requires that hate crime data collection by agencies that have investigation, detention, custodial, adjudicative or program responsibility for adult or juvenile offenders, to cooperate with the department of the attorney general in establishing the hate crime reporting system. Provides criteria. Annual report to the governor, the judiciary, the department of public safety, and the legislature. -- SB2429 SD2

## SENATE BILLS WHICH PASSED THIRD READING

Mar-09 00 Introduction/Passed First Reading - House

SB2430

RELATING TO CIVIL RIGHTS. Senator Chumbley (586-6030)

Amends provision relating to discrimination in real property transactions. Defines sexual orientation. Prohibits in a real estate transaction, within restrictive covenants and conditions of a real property oral agreement or written instrument or blockbusting for reasons or financial benefit related to race, sex, sexual orientation, age, religion, color, ancestry, disability, age, familial status or HIV (human immunodeficiency virus). -- SB2430

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Single Referral to JHA (586-8480)

SB2432 SD1 (SSCR 2542)

RELATING TO A SENTENCING SIMULATION MODEL. Senator Matsunaga (586-7100)

Appropriation to the department of public safety to develop, implement, and maintain a sentencing simulation model. Requires matching federal funds from the Edward Byrne memorial state and local law enforcement assistance formula grant program. (\$\$) -- SB2432 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2433 SD2 (SSCR 2776)

RELATING TO PRISONS. Senator Chumbley (586-6030)

Authorizes the director of public safety, with the approval of the governor, to enter into contracts consistent with the provisions of the public procurement code and purchases of health and human services to obtain any and all services appropriate and necessary to manage and operate an in state correctional facility. Allows the contracts to be between the State and the private entity that develops or constructs the new in state correctional facility, or with any other qualified private entity. Requires the director to appoint a state monitor to oversee all aspects of the management and operation of the facility and report to the director. Repeals provisions relating to the contracts for construction of correctional facilities by private entities. -- SB2433 SD2

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to PSM then FIN (586-8490)

SB2434 SD2 (SSCR 2774)

RELATING TO SUBSTANCE ABUSE. Senator Matsunaga (586-7100)

Establishes substance abuse policy and programs provisions. Establishes the substance abuse multiagency (multi agency) coordinating council within the department of health to develop statewide policy direction to promote an integrated and coordinated substance abuse prevention and treatment system for the State, and to identify funding opportunities to support implementation of all elements of the system. Requires the council to convene a community alliance advisory committee to assist the council in the development of the statewide policy direction. Establishes the substance abuse programs special fund to support the operations of the council and any substance abuse programs and services designated by legislative appropriation. Requires the department of health, in consultation of the council to annually report to the legislature. -- Provides that all moneys collected for liquor, tobacco, and cigarette permits and licenses shall be deposited into the substance abuse programs special fund. Provides that 10 per cent of all moneys collected for liquor, tobacco, and cigarette tax shall be deposited into the substance abuse programs special fund. -- Amends Act 205, session laws of 1995, as amended by Act 7, session laws of 1996, and Act 152, session laws of 1998. Provides that any person who is convicted of an offense related to drugs and intoxicating compounds, negligent homicide in the 3rd degree, controlled substances, or consuming or possessing intoxicating liquor or drugs while operating a vehicle shall be ordered to pay a monetary assessment to the substance abuse programs special fund. Repeals the sunset date. -- Appropriation to the department of health for the substance abuse programs special fund, for the

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hiring of staff and the purchase of necessary services and equipment to carry out integrated case management for the substance abusing criminal offender, and for substance abuse treatment services for criminal offenders. -- Requires 25 per cent of the Hawaii tobacco settlement special fund to be deposited into the substance abuse programs special fund. -- Requires 25 per cent of the emergency and budget reserve fund (rainy day fund) to be deposited into the substance abuse programs special fund. -- Repeals the Hawaii advisory commission on drug abuse and controlled substances. -- Requires the legislative reference bureau to prepare proposed conforming legislation to make necessary amendments to the statutes affected by the repealed provisions. Report to the legislature. (\$\$) -- SB2434 SD2

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to HLT/ PSM/ then FIN (586-6380)

SB2436 SD1 (SSCR 2630)

RELATING TO THE PENAL CODE. Senator Matsunaga (586-7100)

Establishes provision relating to trafficking of fraudulent identification; manufacture and sales. Provides that a person commits the offense of trafficking of fraudulent identification (fake ID) if the person intentionally or knowingly manufactures or sells an identification card or other form of identification that appears to be, but is not, an official form of identification issued by the government of a state, the US, or another nation. Makes trafficking of fraudulent identification (fake ID) a class C felony. Provides that any personal property used to commit the offense of trafficking of fraudulent identification shall be subject to forfeiture. -- SB2436 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2437 SD2 (SSCR 2640)

RELATING TO ANTITRUST. Senator Matsunaga (586-7100)

Amends the unfair competition, practices, declared unlawful provision by allowing any person to bring an action based upon unfair methods of competition declared unlawful. -- SB2437 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2438

RELATING TO JUDGMENTS. Senator Matsunaga (586-7100)

Amends on judgment provision by allowing that the post judgment interest rate to be 10 per cent per year on the total judgment amount in any court of any civil suit in the State. -- SB2438

Mar-09 00 Introduction/Passed First Reading - House

SB2441 SD1 (SSCR 2635)

RELATING TO DANGEROUS DOGS. Senator Matsunaga (586-7100)

Establishes provision relating to dog attacks. Defines attack, owner, and without provocation. Provides that a person commits the offense of permitting a dog attack in the 1st degree when the person is the owner of a dog and intentionally, knowingly, or recklessly permits the owner's dog to attack a person without provocation, causing bodily injury to the person. Makes permitting a dog attack in the 1st degree a misdemeanor. Provides that a person commits the offense of permitting a dog attack in the 2nd degree when the person is the owner of a dog and negligently permits the owner's dog to attack a person without provocation, causing bodily injury to the person. Makes permitting a dog attack in the 2nd degree a petty misdemeanor. Provides that a person commits the offense of permitting a severe dog attack when the person has previously been convicted of or entered a deferred plea of guilty or no contest to the offense of permitting a dog attack in the 1st degree; the person is the owner of a dog; and the owner intentionally, knowingly, or recklessly permits the owner's dog to attack a person without provocation, causing bodily injury or death to the person. Makes permitting a severe dog attack a class C felony. -- SB2441 SD1

Mar-09 00 Introduction/Passed First Reading - House

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SB2442 SD2 (SSCR 2754)

RELATING TO CAREGIVERS. Senator Chun Oakland (586-6130)

Amends guardians and wards law by establishing provision relating to caregiver consent. Defines primary caregiver and school related medical care. Provides that a primary caregiver may informally enroll a minor in the school district where the primary caregiver is domiciled, and may consent to school related medical care if the primary caregiver possesses a current notarized affidavit. Requires a primary caregiver to present a copy of the notarized affidavit upon request by the school, health care provider, or health care service plan. Provides that a person who relies on the affidavit of caregiver consent shall have no obligation to make further inquiry or investigation other than to clarify that the minor resides with the caregiver as of the time of enrollment in school or medical care. Provides that no person who relies on the affidavit of caregiver consent shall be subject to civil or criminal liability or to professional disciplinary action because of the reliance. -- Requires the department of education to review departmental policies regarding the admission of students and modify them to recognize hanai or kinship relationships for the purposes of enrollment and school based medical care. Report to legislature. -- SB2442 SD2  
Mar-09 00 Introduction/Passed First Reading - House

SB2443

RELATING TO FAMILIES. Senator Chun Oakland (586-6130)

Requires suspected child abuse or neglect or the existence of a substantial risk that child abuse or neglect may occur to be immediately reported to either the department of human services or to the police department. -- SB2443  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to HSH then JHA (586-6050)

SB2446 SD2 (SSCR 2663)

MAKING APPROPRIATIONS FOR THE PROTECTION OF CHILDREN AND FAMILIES. Senator Chun Oakland (586-6130)

Appropriation to the department of health for the Hawaii children's trust fund, provided that this sum is matched by private and federal sources, and for the Healthy Start program for services for families identified as "at risk", provided that this sum is matched by private sources, Medicaid, and other federal funding sources. Appropriation to the department of human services for staffing and services for the neighborhood places, provided that this sum is matched by private or federal sources. (\$\$) -- SB2446 SD2  
Mar-09 00 Introduction/Passed First Reading - House

SB2448 SD2 (SSCR 2516)

RELATING TO AUTISM. Senator Chun Oakland (586-6130)

Establishes the Hawaii autism center of excellence within the university of Hawaii school of medicine at Manoa. Requires the center to serve as a central clinical and academic resource for state of the art autism and autism spectrum disorder diagnostic assessment and evaluation as well as therapeutic and educational interventions, consultation, training, and applied clinical research. Appropriation. (\$\$) -- SB2448 SD2  
Mar-09 00 Introduction/Passed First Reading - House

SB2456 SD1 (SSCR 2517)

MAKING AN APPROPRIATION FOR BLUEPRINT FOR CHANGE. Senator Chun Oakland (586-6130)

Appropriation to the department of human services for the delivery of diversion services and child protective services to target families. Requires matching private or federal funds. (\$\$) -- SB2456 SD1  
Mar-09 00 Introduction/Passed First Reading - House

SB2459 SD2 (SSCR 2737)

RELATING TO PROFESSIONAL COUNSELORS. Senator Chun Oakland (586-6130)

Establishes professional counselors law under the department of commerce and consumer affairs. Establishes a licensing program within the department. Requires the director to grant permission to use the title or description of

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licensed professional counselor; administer, coordinate, and enforce the licensing program; discipline any counselor for violation of rules or failure to meet the licensing requirements; appoint an advisory committee. Allows fees acquired through the program to defray costs. Prohibits any individual from improper use of the title licensed professional. Violators will be subject to a civil action fine of not more than 1,000 dollars and consider each day's violation a separate offense. Provides criteria for application for licensure as a professional counselor. Allows licenses to be valid for 3 years and be renewed triennially. Provides that the practice of professional counseling shall include but not be limited to individual and group counseling, assessment and appraisal of persons with mental and emotional disorders, planning and treating and counseling persons, crisis intervention, guidance and consulting to facilitate normal growth and development including educational and career development, utilization of functional assessment and counseling for persons requesting assistance in adjustment to a disability, consulting, research, and referral. Authorizes the director of commerce and consumer affairs to appoint an administrative assistant and secretary, exempt from civil service and compensation provisions, to assist with the counselors licensure program. Appropriation. (\$\$) -- SB2459 SD2

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to HLT/ CPC/ then FIN (586-6380)

SB2465 SD1 (SSCR 2297)

RELATING TO PORNOGRAPHY. Senator Chun Oakland (586-6130)

Amends provision relating to promoting pornography for minors. Exempts a person who commits any act specified therein in the person's capacity and within the scope of the person's employment as a member of the staff of any public library. -- SB2465 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to EDN then JHA (586-8470)

SB2466 SD1 (SSCR 2759)

RELATING TO COMPUTER ACCESS BY MINORS. Senator Chun Oakland (586-6130)

Requires the board of education in consultation with the superintendent of education and the State librarian to adopt a policy to prevent minors from gaining access on any public access computer to material that is pornographic for minors. Requires the board to ensure that adult use of public access computers is not unconstitutionally limited at any library branch. Report to the legislature. -- SB2466 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to EDN then JHA (586-8470)

SB2467 SD2 (SSCR 2671)

RELATING TO UNLICENSED CONTRACTORS. Senator Sakamoto (586-8585)

Amends contractors provisions by providing that any person who violates the licensing requirements may be subject to notice of forfeiture and shall turn over to the department of commerce and consumer affairs, all tools, implements, armamentaria (armamentariums), documents, materials, or any other property owned by the persons to provide services. Upon the issuance of final order or entry of judgment finding of violation, the director or circuit court judge may enter an order of forfeiture. Requires all proceeds generated from any forfeiture action to be deposited in the special fund. Adds that any unlicensed person shall reimburse or return any money or other consideration received to the person who made the payment of money or gave other consideration. Provides that failure to obtain a license under contractors law prior to entering into a contracting arrangement shall be deemed an unfair and deceptive practice and shall be subject to monopolies and restraint of trade law. -- SB2467 SD2

Mar-09 00 Introduction/Passed First Reading - House

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SB2469 SD2 (SSCR 2777)

RELATING TO EDUCATION. Senator Sakamoto (586-8585)  
Amends Act 343, session laws of 1997, establishing the school to work opportunities pilot project, by repealing the term opportunities and its designation as a pilot project. Changes the membership of the Hawaii school to work executive council to include a member of the board of education designated by the chairperson of the board of education and a member of the board of regents of the university of Hawaii designated by the chair of the board of regents. Replaces the council with the department of education as the entity empowered to appoint staff and requires the council to seek federal, state, and private resources. Provides that the council shall act as the advocacy board for the system. Appropriation. (\$\$) -- SB2469 SD2  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to EDN/ LAB/ then FIN (586-8470)

SB2470 SD1 (SSCR 2473)

RELATING TO EDUCATION. Senator Sakamoto (586-8585)  
Amends the vocational education under federal aid law to the career and technical education under federal aid. Amends the Hawaii workforce development council law by changing the state board for vocational education to the state board for career and technical education. Also changes references to the Carl D. Perkins Vocational and Applied Technology Education Amendments of 1998, Public Law 105-332 to the Carl D. Perkins Vocational and Technical Education Amendments of 1998, Public Law 105-332. -- SB2470 SD1  
Mar-09 00 Introduction/Passed First Reading - House

SB2473 SD2 (SSCR 2552)

RELATING TO THE SMALL BUSINESS DEFENDER. Senator Sakamoto (586-8585)  
Amends Act 168, session laws of 1998, relating to the small business defender Act. Provides that the small business defender shall be within the department of budget and finance, rather than the legislature. Requires the defender to be appointed by the director of finance from a list submitted by the senate president and the speaker of the house of representatives, and who shall also determine the salary of the defender. Prohibits any small business to assert any claim or cause of action against the small business defender or its staff, the State, or the counties, based on any act or omission in the representation of the small business, unless the act or omission in the representation of the small business except as provided in state tort liability provisions. Appropriation. (\$\$) -- SB2473 SD2  
Mar-09 00 Introduction/Passed First Reading - House

SB2474 SD1 (SSCR 2204)

RELATING TO FEDERAL AID. Senator Sakamoto (586-8585)  
Establishes provision requiring all federal fund reimbursements received by state programs to be returned to the general fund or other appropriate program fund except as otherwise provided by law or except as prohibited by specific grant conditions. Requires the governor to annually report to the legislature. Prohibits federal impact aid received by the department of education to be returned to the general fund. Authorizes the governor to allow the department to increase the federal fund expenditure ceiling for EDN 100, school based budgeting, by the amount that the federal impact aid exceeds the authorized appropriation in the General Appropriations Act or the Supplemental Appropriations Act; and to allow the department of education to retain the full amount of the general fund offset created by increased impact aid receipts to further carry out the purposes of EDN 100, school based budgeting. Prohibits the department to use the general fund to create new programs or expand existing programs. -- SB2474 SD1  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to EDN then FIN (586-8470)

## SENATE BILLS WHICH PASSED THIRD READING

SB2475 SD1 (SSCR 2205)

RELATING TO GENDER EQUITY IN SPORTS. Senator Sakamoto (586-8585) Establishes the gender equity in sports provisions. Prohibits a person, on the basis of sex, to be excluded from participating in, be denied the benefits of, or be treated differently from another person or otherwise be discriminated against in any interscholastic, club, or intramural athletics offered by a public school. Allows a public school to operate or sponsor separate athletic teams for members of each sex if the selection for the teams is based upon competitive skill or the activity involved is a bodily contact sport. -- Establishes an advisory commission on gender equity in sports within the department of education. Requires the commission to examine gender equity in athletics in the public school system (Title IX) and may make recommendations to the board of education, the superintendent of education, and the legislature. -- Requires the superintendent of education to define equity in athletics and develop and recommend rules for appropriate enforcement mechanisms to ensure equity. Also requires a strategic plan to be developed to implement the recommendations over 2 years. Requires the superintendent to submit an annual report to the legislature and the advisory commission on gender equity in sports. -- SB2475 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to EDN then JHA then FIN (586-8470)

SB2477 SD1 (SSCR 2497)

RELATING TO THE TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS.

Senator Hanabusa (BR) (586-7793)

Amends provision relating to the qualifications of board members of the office of Hawaiian affairs. Requires the candidates for the office of Hawaiian affairs trustee elections to be of Hawaiian descent. Repeals the requirements that a registered voter for the board member of the office of Hawaiian affairs to be Hawaiian. -- SB2477 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2479 SD1 (SSCR 2498)

RELATING TO THE ELECTION OF THE BOARD OF TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS. Senator Hanabusa (BR) (586-7793)

Amends provision relating to the election of board members of the office of Hawaiian affairs. Provides that the cost of conducting special elections to elect trustees of the office of Hawaiian affairs shall be borne by the office of Hawaiian affairs. Requires the chief election officer to determine the cost of conducting a special election and to transmit a request for reimbursement to the office of Hawaiian affairs within 90 days of the completion of the special election. Requires the office of Hawaiian affairs, upon determining that the request for reimbursement is accurate, to remit payment to the chief officer within 30 days of the determination. -- SB2479 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2480 SD1 (SSCR 2469)

RELATING TO ANNULMENT, DIVORCE, AND SEPARATION. Senator Hanabusa (586-7793)

Amends provision relating to service of annulment, divorce, and separation. Provides that if the plaintiff, as a result of impoverishment, is unable to publish notice, the court may authorize notice of the dependency of the action and of a time and place of the hearing, which shall not be less than 30 days after the date of mailing of notice and a certified copy of the pleadings and process, which shall be sent to the defendant at the defendant's last known address by registered mail, with a return receipt requested and a directive to deliver to addressee only, and the case may be heard and determined at or after the time specified in the notice. -- SB2480 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2482 SD1 (SSCR 2173)

RELATING TO TECHNOLOGY BUSINESS TAXATION. Senator Chun (586-7344)



## SENATE BILLS WHICH PASSED THIRD READING

Allows a biotechnology company to sell its unused net operating loss carryover or unused tax credits to another biotechnology company for private financial assistance from the company in an amount equal to at least 75 per cent of the amount of the surrendered tax benefit, with approval of the department of taxation. Requires the tax benefit purchased by the buyer biotechnology company to be claimed in the year the sale is approved. Provides an exception to section 1212 (with respect to capital loss carrybacks and carryforwards) of the Federal Internal Revenue Code which is operative for state income tax purposes to provide that the capital loss carryback provisions shall not be operative and the capital loss carryforward shall be limited to 15 years. -- SB2482 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to EDB/ HED/ then FIN (586-6530)

SB2484 SD1 (SSCR 2193)

RELATING TO MEDICAID RECOVERY. Senator Chun Oakland (586-6130)  
Amends medicaid fraud unit provision. Provides that the purpose of the medicaid fraud unit shall be to conduct a statewide program for the investigation and prosecution of fraud cases involving medicaid and other federal health care programs and violations of all applicable state laws relating to the providing of medical assistance. Allows the medicaid fraud unit to conduct an elder abuse neglect and prevention program to increase public awareness, train law enforcement agencies, and facilitate cooperation throughout the State. Requires medicaid investigations recovery fund to be used to provide funding for the abuse and neglect prevention program. Provides that special fund moneys shall not be used to provide funding for the abuse and neglect prevention program if such use would jeopardize federal funding or the operation of the medicaid fraud unit. -- SB2484 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to JHA/ HSH/ then FIN (586-8480)

SB2486 SD2 (SSCR 2764)

RELATING TO TAXATION. Senator Chun Oakland (586-6130)  
Establishes a tax on cigarettes through the use of stamps. Allows the department of taxation to enter into agreements to permit the sale of stamps by designated financial institutions. Establishes penalties. Provides that enforcement jurisdiction shall be under the attorney general. Appropriation to the department of taxation for the start up cost for implementing the stamp tax system. Appropriation to the attorney general. -- Requires the director of taxation to provide a report to the legislature on the effectiveness of this Act in reducing the loss of cigarette tax revenues to the State from the illegal sale of untaxed cigarettes. Act to be repealed on June 30, 2006 (sunset). (\$\$) -- SB2486 SD2

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to CPC/ JHA/ then FIN (586-6150)

SB2489 SD2 (SSCR 2518)

RELATING TO BRAIN INJURY. Senator Chun Oakland (586-6130)  
Establishes a task force within the department of business, economic development, and tourism to identify and eliminate public policy barriers, including duplication of services and pooled resources, to neurotraining services. Report to the legislature. Task force shall cease to exist on June 30, 2001 (sunset). Appropriation to the department to establish a community based neurotraining research, education, and training infrastructure as a niche human services diversified economic development strategy for local and global situations. Requires funds from the private sector. Requires the sum to be used to leverage national, local, and federal grant funds and in kind resources for the private sector development to stimulate the economy and to show. (\$\$) -- SB2489 SD2

Mar-09 00 Introduction/Passed First Reading - House

## SENATE BILLS WHICH PASSED THIRD READING

SB2490 SD2 (SSCR 2714)

RELATING TO LONG-TERM RESIDENTIAL CARE. Senator Chun Oakland (586-6130)

Requires the department of health to employ, as a uniform assessment tool, the scaled down version of the medicaid waiver program's social and health assessment forms for all licensed care homes regulated by the department to help reduce system fragmentation, increase system efficiency and effectiveness, enhance quality of care, and to make the system more consumer friendly. -- Further requires the department to establish an information and referral process to serve all potential clients of licensed care homes, namely the elderly, the non elderly under age 60, and disabled persons of all ages. Provides that the subcommittee on residential care of the joint legislative committee on long term care shall conduct a study on reorganizing all adult residential care homes and facilities into a new adult residential care facilities. Encourages the subcommittee on residential care of the joint legislative committee on long term care to solicit the input of organizations concerned with long term care and providers of long term care, including facilities, homes, and hospitals. Report to the legislature. -- Appropriation for implementing an information and referral process for the adult residential care facilities system through the executive office on aging. (\$\$) -- SB2490 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2493 SD2 (SSCR 2519)

MAKING AN APPROPRIATION FOR SUBSTANCE ABUSE TREATMENT SERVICES. Senator Chun Oakland (586-6130)

Appropriation to the department of health for specialized substance abuse treatment services for pregnant women, teenagers, and families who are involved with child protective services of the department of human services. Requires matching private and federal funds. (\$\$) -- SB2493 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2494 SD2 (SSCR 2520)

RELATING TO EMPOWERMENT OF THE BLIND. Senator Chun Oakland (586-6130)

Amends provisions relating to blind and visually handicapped persons by allowing the state committee of blind vendors to hire private attorneys, provided that the committee 1st seek representation by the attorney general and the attorney general is unwilling to provide representation, the court determines that representation by the attorney general is directly adverse to another client of the attorney general, or the committee finds that the attorney general is unable to protect its constitutional and statutory rights. Requires the attorney general to determine if it is unwilling to provide representation within 30 days. -- Adds provisions relating to the Randolph Sheppard revolving account. Adds that the account shall be used for services for the state committee of blind vendors including but not limited to the hiring of private attorneys. Requires any money deposited in the revolving account from vending operations income to be identified as to whether the income is generated from federal, state, or county properties. Provides that all moneys from federal vending operations shall be segregated into a federal source subaccount and all other moneys shall be segregated into a non federal source subaccount. Requires the director of human services or its designee to transfer 30,000 dollars from the non federal source subaccount to an interest bearing account in a federally insured financial institution at the beginning of each fiscal year. Report to the legislature. Appropriation to the department of human services, out of the non federal source subaccount of the Randolph Sheppard revolving account, to enable the director to transfer the appropriate amount to the account of the blind vendors. -- SB2494 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2496 SD2 (SSCR 2765)

RELATING TO HAWAII TOBACCO SETTLEMENT MONEYS. Senator Chun Oakland (586-6130)

## SENATE BILLS WHICH PASSED THIRD READING

Amends provisions relating to the use of tobacco settlement funds by the department of health. Provides that \_\_\_\_ per cent, rather than 40 per cent, of the fund shall be deposited into the emergency and budget reserve fund (rainy day fund), and \_\_\_\_ per cent, rather than 35 per cent, of the fund shall be used by the department of health. Requires the department to expend up to \_\_\_\_ per cent of the money from the tobacco settlement funds to support early childhood education and care, and youth programs; and another \_\_\_\_ per cent to support substance abuse treatment services for pregnant women, families, and teenagers, provided that a portion may be transferred to the department of human services for this purpose. -- SB2496 SD2

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to HLT then FIN (586-6380)

SB2499 SD1 (SSCR 2711)

MAKING AN APPROPRIATION TO THE LEGISLATIVE AGENCIES. Senator Ihara (586-6250)

Appropriation for salary increases and other cost adjustments for the office of the auditor, ethics commission, legislative reference bureau, and ombudsman. (\$\$) -- SB2499 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2509 SD2 (SSCR 2567)

RELATING TO PROCUREMENT PRACTICES. Senator Tam (586-6450)

Establishes provision relating to rate for employees of contractors. Provides that no procurement shall be made from a contractor unless the contract specifies that the contractor shall pay the prevailing wage to the contractor's employees for purposes of the contract. Defines prevailing wage. Provides that prevailing wage shall be as provided in a collective bargaining agreement or union scale applicable to the contractor's employees; or 125 per cent of the United States Department of Labor Employment Standards Administration wage and hour determination under the Service Contract Act, with the additional 25 per cent covering any differences in the cost of living. Requires all employers to both verbally and in writing, inform each employee as to the employees' rights and the possibility of penalties assessed against the employer for failing to pay prevailing wages or providing leave, or for retaliating against the employee for reporting the employer to the appropriate regulatory agency for violating the rights of employees. Provides that this provision shall not apply to all government contracts. -- SB2509 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2512

RELATING TO THE INCOME TAXATION. Senator Tam (586-6450)

Provides that section 274 (with respect to disallowance of certain entertainment expenses) of the Federal Internal Revenue Code shall be operative except that a deduction for club dues and 100 per cent of meal and entertainment expenses shall be allowed. -- SB2512

Mar-03 00 Introduction/Passed First Reading - House

Mar-07 00 Multiple Referral to EDB then FIN (586-6530)

SB2513 SD1 (SSCR 2021)

RELATING TO CONVEYANCE TAX. Senator Nakata (586-7330)

Establishes that the priority for the natural area reserve fund shall be to natural area partnership and forest stewardship programs and projects undertaken in accordance with watershed management plans or watershed management plans negotiated with private landowners. -- SB2513 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to WLU then FIN (586-6110)

SB2521 SD1 (SSCR 2229)

RELATING TO PROFESSIONAL SERVICE CONTRACTS. Senate President Mizuguchi (586-6870)

Amends provision relating to procurement of professional services. Provides that contracts for professional services of 250,000 dollars or more shall be

## SENATE BILLS WHICH PASSED THIRD READING

negotiated provided that the contracting agency within \_\_\_\_ days of awarding any contract shall post on the agency's bulletin board the names of the top 5 persons submitted; the name of the firm or individual awarded the contract; the principal officers of the firm awarded the contract; any relationship of the principals to the official making the award; and the contracting agency shall make available annually on the agency's bulletin board and the internet a report of all contracts for professional services. -- SB2521 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Single Referral to FIN (586-6200)

SB2522 SD1 (SSCR 2194)

RELATING TO OFFICE OF INFORMATION PRACTICES. Senator Ihara (586-6250)

Amends the executive meetings provision by adding the requirement for the specific reasons for holding a closed executive meeting, the vote of each member on the question to do so, and a description of the executive meeting including whether or not discussion was held and whether or not votes were taken to be included in the minutes. Requires the summaries of executive meetings to be included in the minutes and to be made public. Appropriation to the legislature. (\$\$) -- SB2522 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to JHA then FIN (586-8480)

SB2523 SD1 (SSCR 2137)

RELATING TO FEES. Senator Ihara (586-6250)

Amends provisions relating to copies of records and other costs or fees. Provides that the cost of reproducing records with a page size larger than 8 and 1/2 by 14 inches shall be limited to the actual cost to the government of reproducing the record, or 25 cents per page, sheet, or fraction thereof, whichever is greater. Requires the public officer having charge or control of the record to explain to the person how a fee of greater than 25 cents per page upon request by any person requesting a record. -- SB2523 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to JHA then FIN (586-8480)

SB2527 SD2 (SSCR 2625)

RELATING TO CONDOMINIUMS. Senator Ihara (586-6250)

Amends provision relating to condominium management bylaws. Provides that any board of directors of a condominium association that intends to distribute proxies using association funds must post notice at least 30 days prior to distribution. Amends provision relating to proxies to include that a copy, facsimile (fax) telecommunication, or other reliable reproduction of a proxy may be used in lieu of the original proxy for any and all purposes for which the original proxy could be used; provided that any copy facsimile telecommunication, or other reproduction shall be a complete reproduction of the entire original proxy. -- SB2527 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2529 SD1 (SSCR 2023)

RELATING TO A LAND EXCHANGE IN NORTH KONA, HAWAII. Senator Inouye (586-7335)

Approves land exchange between the state and Earl E Bakken for lands located in the Kiholo bay vicinity of north Kona on the island of Hawaii. Provides criteria. Repeals the authority granted to enter into a land exchange agreement on June 30, 2001 (sunset). Further provides that any agreement executed between the State and Earl E. Bakken prior to July 1, 2001 shall remain in force and effect regardless of this Act's repeal. -- SB2529 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to WLU then FIN (586-6110)

SB2530 SD1 (SSCR 2554)

RELATING TO AGRICULTURE. Senator Inouye (586-7335)

Authorizes the issuance of special purpose revenue bonds to assist Hawaii Gold

## SENATE BILLS WHICH PASSED THIRD READING

Cacao Tree, Inc. to finance the establishment of facilities in the county of Hawaii to process cacao beans and to manufacture and produce cacao and chocolate products. Requires the department of budget and finance to process applications for special purpose revenue bonds in accordance with the requirements of its formal application for financing of an industrial enterprise as it existed on October 22, 1987. Report to the legislature. Authorizes the department to issue from time to time refunding special purpose revenue bonds to refund the special purpose revenue. (\$\$) -- SB2530 SD1  
Mar-09 00 Introduction/Passed First Reading - House

SB2533 SD1 (SSCR 2481)

RELATING TO CRIME VICTIM COMPENSATION. Senator Chumbley (586-6030)

Amends provision relating to the crime victim compensation special fund and compensation fee. Provides that the court shall impose a compensation fee upon every defendant who has entered a deferred acceptance of guilty plea or nolo contendere to be deposited into the special fund. -- Amends provisions relating to deferred acceptance of guilty plea. Provides that as a condition of probation, the court shall impose a fee pursuant to crime victims compensation special fund upon every defendant who has entered a plea of guilty or nolo contendere to a petty misdemeanor, misdemeanor, or felony. Requires the courts to waive the fee if the courts find that the defendant is unable to pay. Provides that the payment of the fee shall have priority over a payment of a fine and payment of restitution shall have priority over payment of a compensation fee. -- SB2533 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2535

RELATING TO PROBATE. Senator Matsunaga (586-7100)

Amends provision relating to priority among persons seeking appointment as personal representative. Excludes a person aged 18 and over who would be entitled to letters but for the person's age, from persons who may nominate a qualified person to act as a personal representative. -- SB2535

Mar-07 00 Introduction/Passed First Reading - House

Mar-07 00 Single Referral to JHA (586-8480)

SB2536 SD1 (SSCR 2286)

RELATING TO THE UNIFORM PRINCIPAL AND INCOME ACT. Senator Matsunaga (586-7100)

Establishes the uniform principal and income Act. Outlines the fiduciary duties of a trustee of an estate or trust. -- Provides guidelines for determining the net income of an estate or trust and its distribution. -- Provides for the allocation and apportionment of receipts and disbursements during the administration of an estate or trust. Provides criteria. -- Repeals the revised uniform principal and income Act. -- SB2536 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to JHA/ CPC/ then FIN (586-8480)

SB2542 SD1 (SSCR 2741)

RELATING TO STATE BONDS. Senator Fukunaga (586-6890)

Establishes provisions relating to security interest. Provides that any security interest created by a governmental unit pursuant to any authorizing statute is perfected by the adoption of the measure or measures from the date on which the measure takes effect without the need for any physical delivery, filing, or recording in any office. Further provides that the priority of any security interest shall be governed by the contractual terms set forth in the measure or measures. Prohibits any security interest having priority over an existing security interest to be created in violation of the terms of an existing measure governing outstanding bonds. Requires the terms of any applicable authorizing statute to govern the enforcement of any security interest to the extent that the authorizing statute contains express provisions relating to the enforcement or authorizes a governmental unit to contract with respect to enforcement. --

## SENATE BILLS WHICH PASSED THIRD READING

SB2542 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Single Referral to FIN (586-6200)

SB2544 SD1 (SSCR 2474)

RELATING TO THE LEGISLATIVE ANALYST. Senator Fukunaga (586-6890)  
Amends provisions relating to the office of the legislative analyst. Provides that the legislature rather than the joint legislative budget committee, by a majority vote of each house in joint session, shall appoint the legislative analyst who shall serve for a period of 6 years and thereafter until a successor shall have been appointed. Provides that if the legislative analyst dies, resigns, becomes ineligible to serve, or is removed or suspended from office, the 1st assistant to the legislative analyst shall become the acting legislative analyst until a new 1 is appointed. Provides that the salary of the legislative analyst shall not be diminished during the legislative analyst's term of office, unless by general law applying to all salaried officers of the State. Repeals the definition of committee. Repeals the joint legislative budget committee and purpose provision. Repeals the selection of members; co chairpersons; filling vacancies; and rules provisions. Establishes the requirements for a fiscal impact statement. Requires every legislative measure that would effect the receipt, expenditure, or allocation of state or local funds, either directly or indirectly, to have attached to it prior to its consideration by any committee of either house of the legislature, a fiscal impact statement that includes a reliable estimate of the fiscal impact of the measure. Requires the legislative analyst to prepare the fiscal impact statement and transmit it to the authors of the measure. Provides that a fiscal impact statements shall be required for any legislative measure concerning any program that is wholly or partially funded by federal moneys, and that involves an expenditure of state funds or any legislative appropriation of funds. Requires the fiscal impact statement to reflect the immediate and long range fiscal effect of the program on the State, and to include the length of time federal funds are to be provided; and the probable amount of state funds required to continue the program. s the fiscal impact statement to comply with all rules applicable to, and contain the same kind of information contained in, other fiscal impact statements. Appropriation. (\$\$) -- SB2544 SD1  
Mar-09 00 Introduction/Passed First Reading - House

SB2545

RELATING TO GLASS RECOVERY. Senator Levin (586-6760)  
Amends provisions relating to glass container recovery. Requires all glass container importers, rather than only ones registered with the department of health, to maintain records reflecting the manufacture of their glass containers as well as the importation and exportation of products packaged in glass. Adds the definition of import to mean to buy, bring, or accept delivery of glass containers from an address, supplier, or any entity outside of the State. Provides that any person who violates glass container recovery provision shall be subject to an administrative action, rather than a civil action. -- SB2545  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to EEP then JHA then FIN (586-8435)

SB2549 SD1 (SSCR 2041)

RELATING TO ENERGY CONSERVATION TAX CREDITS. Senator Nakata (586-7330)  
Repeals the sunset date to install solar energy systems in order to claim an income tax credit. Provides that if similar federal energy tax credits are established, then the state tax credits shall be reduced by the amount of the applicable federal energy tax credit. -- SB2549 SD1  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to EEP then FIN (586-8435)

SB2561 SD2 (SSCR 2536)

RELATING TO INSURANCE. Senator Taniguchi (586-6460)  
Requires the insurance commissioner to transfer up to 10 per cent of the total

## SENATE BILLS WHICH PASSED THIRD READING

moneys credited to the captive insurance administrative fund in the prior fiscal year to the insurance regulation fund to promote Hawaii as a captive insurance domicile, subject to the approval of the director of commerce and consumer affairs. -- SB2561 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2562 SD1 (SSCR 2656)

RELATING TO INSURANCE. Senator Taniguchi (586-6460)

Repeals and replaces confidential treatment provisions for captive insurance companies. Replaces pure captive insurance company with class 1, 2 or 4 and not pure captive insurance company with class 3, for financial report provisions. -- SB2562 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2563 SD1 (SSCR 2743)

RELATING TO INSURANCE. Senator Taniguchi (586-6460)

Amends unfair methods of competition and unfair or deceptive acts or practices in the business of insurance to include refusing to provide or limiting coverage available to an individual because the individual may have a 3rd party claim for recovery of damages. -- SB2563 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Single Referral to CPC (586-6150)

SB2571 SD1 (SSCR 2423)

RELATING TO SCHOOL-BASED BUDGETING. Senator Sakamoto (586-8585)

Establishes provisions for school by school budgeting in which the department of education prepares a separate budget for each school and each school is given maximum flexibility in the execution of its budget. Requires the department to prepare and report to the individual schools and the legislature a budget for each school based on the budget submitted to the legislature by the governor. Requires each school to submit reports for the previous fiscal year to the department. -- SB2571 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to EDN then FIN (586-8470)

SB2572

RELATING TO THE UNIVERSITY OF HAWAII FACILITIES USE REVOLVING FUND. Senator D. Ige (586-6230)

Amends the university of Hawaii facilities use revolving fund to include the use of real property. Allows excess revenues to be transferred to other university funds to be invested or expended for the general benefit of the university. -- SB2572

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to HED then FIN (586-6330)

SB2574 SD1 (SSCR 2300)

RELATING TO THE UNIVERSITY OF HAWAII. Senator D. Ige (586-6230)

Amends provisions relating to the special fund for special programs and activities of the community colleges by establishing provisions for the deposit of tuition and fees into the fund. -- SB2574 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to HED then FIN (586-6330)

SB2575 SD2 (SSCR 2733)

RELATING TO THE UNIVERSITY OF HAWAII FACILITIES IMPROVEMENTS SPECIAL FUND. Senator D. Ige (586-6230)

Establishes the university of Hawaii facilities improvements special fund to manage, plan, design, repair, replace, maintain, renovate, and construct other related improvements to public higher education facilities under the direction of the board of regents of the university of Hawaii. Provides that a portion of all general excise tax revenues collected by the department of taxation shall be deposited into the fund. -- SB2575 SD2

Mar-09 00 Introduction/Passed First Reading - House

## SENATE BILLS WHICH PASSED THIRD READING

Mar-09 00 Multiple Referral to HED then FIN (586-6330)

SB2576 SD2 (SSCR 2706)

RELATING TO STATE OWNED PUBLIC HOUSING. Senator Tam (586-6450) Establishes the state resident advisory board. Provides that the state resident advisory board shall be comprised of members representing tenants of federal, state and federal section 8 public housing projects who shall be elected at the state public housing forum. -- Provides that the elections of state resident advisory board members shall be conducted and certified by the league of women voters at the state public housing forum with funding by the housing and community development corporation. Provides that attendance at a state resident advisory board meeting, greater than 50 per cent of the members to which entitled, shall constitute a quorum, whose affirmative vote shall be necessary for all actions by the state resident advisory board. -- SB2576 SD2  
Mar-09 00 Introduction/Passed First Reading - House

SB2578 SD1 (SSCR 2375)

RELATING TO RESIDENTIAL LEASE-TO-FEE CONVERSION. Senator Tam (586-6450) Establishes provision relating to an appraisal method for cooperative housing corporation and condominium lease to fee conversion. Provides a fair market value conversion standard for all leases and subleases executed prior to the effective date of this Act, that establish within the lease or sublease an appraisal method for determining the value of the lease to fee conversion. Provides criteria. Defines lease, sublease, and lessee. Provides that this provision shall not apply to lease to fee conversion through condemnation. -- SB2578 SD1  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to CPC then FIN (586-6150)

SB2579 SD1 (SSCR 2231)

RELATING TO HOUSING. Senator Tam (BR) (586-6450) Establishes the special needs housing special fund provision. Provides that the fund to be used to provide supportive housing for persons with mental illness and substance abuse addictions in the homeless population. Provides that appropriations from the legislature, gifts, donations, and grants from public agencies and private persons, and all interest earned or accrued on money deposited in the fund shall be part of the fund, and shall be administered by the housing and community development corporation. (\$\$) -- SB2579 SD1  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to HSH/ HLT/ then FIN (586-6050)

SB2584 SD1 (SSCR 2252)

RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY. Senate President Mizuguchi (586-6870) Establishes Kalaeloa community development district under Hawaii community development authority provision. Provides that the Hawaii community development authority shall be the designated agency of the State to act as the local redevelopment authority to facilitate the redevelopment of Barbers Point (Kalaeloa) naval air station. Establishes the Kalaeloa community development revolving fund into which all receipts and revenues of the authority shall be deposited. Amends enterprise zone designation provision. Provides that beginning on July 1, 2000, the lands identified and conveyed to the state of Hawaii by the US Department of Defense known as the Kalaeloa community development district shall be designated an enterprise zone and shall remain in effect until June 30, 2010. Repeals Kalaeloa community development district provision. Transfers all lands conveyed to the Barbers Point (Kalaeloa) naval air station redevelopment commission to the Hawaii community development authority upon the approval of this Act. Provides that the Hawaii community development authority, with the approval of the governor may issue from time to time revenue bonds in amounts not exceeding the total amount of bonds authorized to be issued by the legislature for the purpose of constructing, acquiring, remodeling, furnishing and equipping any public facility, including



## SENATE BILLS WHICH PASSED THIRD READING

acquisition of the site thereof relating to the Kalaeloa community development district. Appropriation to the Hawaii community development authority for the purpose of offsetting the costs associated with transferring the oversight responsibilities of the Barbers Point (Kalaeloa) naval air station redevelopment commission. (\$\$) -- SB2584 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to WLU then FIN (586-6110)

SB2589 SD1 (SSCR 2747)

RELATING TO INDEPENDENT MEDICAL EXAMINATIONS. Senator Kanno (586-6830)

Amends workers' compensation provisions relating to medical examination by the employer's physician. Provides that the physician or surgeon be selected by a mutual agreement between the claimant and the employer, provided that if no mutual agreement is reached, the director of labor and industrial relations shall appoint a duly qualified physician or surgeon from a rotating list established and maintained by the department of labor and industrial relations. -- SB2589 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to LAB then CPC then FIN (586-8450)

SB2598 SD2 (SSCR 2707)

RELATING TO HOUSING. Senator Chun Oakland (586-6130)

Authorizes the issuance of general obligation bonds for appropriation to the housing and community development corporation of Hawaii to be paid into the rental housing trust fund. Provides that the funds appropriated shall only be available for projects receiving not more than 50 per cent of the total investment in the project from government funding, including rental housing trust funds and low income housing tax credits approved by the housing and community development corporation. Provides that the consulting fees, architectural and engineering fees combined for each project shall not exceed 200,000 dollars. Amends housing and community development corporation of Hawaii provisions by establishing rules and refinancing loan program to provide refinancing for the eligible borrower's permanent primary residence. Requires the corporation to establish requirements for property financed by an eligible refinancing loan, and to consider the location, age, condition, and other characteristics of the property. Provides minimum requirements. Requires the corporation to submit a verification of owner occupancy form to the eligible borrower, provided that failure to respond to this verification in a timely manner may result in an immediate escalation of the interest rate or acceleration of the eligible refinancing loan. Allows the corporation to grant a waiver for eligible borrowers who later experience financial difficulty and must sell or transfer title to their property for a period not to exceed 1 year and for reasons set forth under restrictions on real property use provision on a case by case basis. Requires the corporation to establish restrictions on the terms, maturities, interest rates, collateral, transfer of ownership of the properties, and other requirements for eligible refinancing loans. Restricts loans to an amount no more than 250,000 dollars per property. Requires all eligible loans made to comply with applicable state and federal laws. Provides that not more than 50 per cent of fng shall be made available for the refinancing program. Defines eligible refinancing loan. Redefines housing loan programs to include the refinancing loan program. (\$\$) -- SB2598 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2605 SD1 (SSCR 2408)

RELATING TO EMPLOYMENT SECURITY LAW. Senator Ihara (586-6250)

Exempts from employment covered under the employment security law service performed by an individual who holds an ownership interest of not less than 50 per cent in the employing unit, provided that the individual elects to be excluded from the coverage and that no more than 2 individuals in any employing unit will be excluded. -- SB2605 SD1

Mar-09 00 Introduction/Passed First Reading - House

## SENATE BILLS WHICH PASSED THIRD READING

Mar-09 00 Multiple Referral to LAB/ EDB/ then FIN (586-8450)

SB2607 SD1 (SSCR 2715)

RELATING TO THE COMMISSION ON THE STATUS OF WOMEN. Senator Hanabusa (586-7793)

Establishes a commission on the status of women trust fund to financially support the programs of the commission on the status of women. Provides that the fund shall be a private charitable trust fund to be administered by a private trust company. -- Allows the commission to appoint staff as it deems necessary. -- Changes the duties of the commission to the powers and duties of the commission. Repeals the requirement of the commission to accumulate, compile, and publish information concerning instances of actual discrimination, and discrimination in the law, against women; to cooperate with the department of labor and industrial relations and other state agencies and appropriate federal offices and agencies in correcting unlawful employment practices, in public and private employment, involving discrimination because of sex; and to seek improvements in educational and counseling programs and policies to meet the needs of girls and women in order to better prepare them for their roles in the home and community. -- Authorizes the commission to establish a Hawaii nonprofit organization if the commission deems it necessary. -- SB2607 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to LAB then JHA then FIN (586-8450)

SB2611

RELATING TO HABITAT CONSERVATION. Senator Nakata (586-7330)

Amends the habitat conservation plans provision by adding that the board of land and natural resources shall suspend or revoke an approval of a habitat conservation plan and suspend or rescind any safe harbor agreement if the board determines that the continuation of the permitted activity is likely to appreciably reduce the likelihood of the survival or recovery in the wild of any threatened or endangered species. Repeals provisions allowing the primary obligation for executing mitigation measures to rest with the State, or the federal government with its consent, and not with the landowner if additional mitigation measures are subsequently deemed necessary to provide for the conservation of a species that was otherwise adequately covered under the terms of habitat conservation plan, safe harbor agreement, or incidental take license as a result of extraordinary circumstances. -- SB2611

Feb-15 00 Introduction/Passed First Reading - House

Feb-16 00 Multiple Referral to EEP/ OMR/ then FIN (586-8435)

SB2621 SD1 (SSCR 2361)

RELATING TO HEALTH. Senator Iwase (586-6740)

Establishes provision relating to health care facilities; report of fireworks incidents. Provides that any health care facility in this State shall report all incidents of injuries and fatalities caused by fireworks to the department of health and the police department of the county in which the person was attended or treated. Provides that all reports shall be in writing or in the manner specified by the department of health, and may include information on the type of fireworks and the nature of the injuries as an optional item. Provides that the term health care facility shall include, but is not limited to health care facilities that are commonly referred to as hospitals, nursing homes, skilled nursing facilities, emergency care facilities and centers, home health agencies, and others providing similarly organized services regardless of nomenclature. -- SB2621 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to HLT then JHA (586-6380)

SB2629

RELATING TO DRUGS. Senate President Mizuguchi (BR) (586-6870)

Repeals provision relating to conditional discharge and provision relating to expunging of court records. Amends provision relating to mandatory assessment of offenders and provision relating to consequences of

## SENATE BILLS WHICH PASSED THIRD READING

nonpayment; imprisonment for contumacious nonpayment; summary collection to exclude inmates and defendants who have been granted a conditional discharge within the past 5 years pursuant to provision relating to conditional discharge, or any similar or predecessor law of this state, any other state, or federal law. -- SB2629

Mar-03 00 Introduction/Passed First Reading - House

Mar-07 00 Single Referral to JHA (586-8480)

SB2631

RELATING TO OFFENSES AGAINST PROPERTY RIGHTS. Senate President Mizuguchi (BR) (586-6870)

Amends provision relating to theft. Provides that unaltered price or name tag or other marking on goods or merchandise, duly identified photographs or photocopies or printed register receipts shall be prima facie evidence of value and ownership of such goods or merchandise. -- Amends provision relating to unauthorized control of propelled vehicle. Provides that if there is no registered owner of the propelled vehicle or unrecorded owner of the vehicle pending transfer of ownership, owner means the legal owner. -- SB2631

Mar-07 00 Introduction/Passed First Reading - House

Mar-07 00 Single Referral to JHA (586-8480)

SB2634 SD2 (SSCR 2668)

RELATING TO THE PENAL CODE. Senate President Mizuguchi (BR) (586-6870)

Amends the Hawaii penal code by changing references of peace officer to law enforcement officer. Amends the preliminary provisions Act to include definitions for actor, conduct, omission, and statute. Defines law enforcement officer to mean any public servant, whether employed by the State or county or by the US, vested by law with a duty to maintain public order or to make arrests for offenses or to enforce the criminal laws, whether that duty extends to all offenses or is limited to a specific class of offenses. -- SB2634 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2635

RELATING TO HIGHWAYS. Senate President Mizuguchi (BR) (586-6870)

Amends the prohibition of vending from state highways provisions. Repeals specification to state highways. Adds the risk of creating a hazardous condition or public nuisance. Defines highway as the entire width, including the beam and shoulder of a public highway. Changes the violation to a petty misdemeanor with a maximum fine of 1,000 dollars or imprisonment up to 30 days, or both. -- SB2635

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to TRN then JHA (586-6180)

SB2637 SD1 (SSCR 2472)

RELATING TO VICTIMS AND WITNESSES. Senate President Mizuguchi (BR) (586-6870)

Establishes provision relating to videoconferencing; grand jury proceedings. Provides that victims and witnesses shall have the right to testify by video conferencing (videoconferencing) technology at grand jury proceedings; provided that such testimony shall be viewed by the grand jury. -- SB2637 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2639

RELATING TO BURGLARY. Senate President Mizuguchi (BR) (586-6870)

Amends provision relating to burglary in the 1st degree. Provides that a person may remain unlawfully in a building regardless of whether the initial entry into the building by the person was lawful or unlawful. Defines dangerous instrument to mean any firearm, whether loaded or not, and whether operable or not, or other weapon, device, instrument, material, or substance, whether animate or inanimate, which in the manner it is used or intended to be used is known to be capable of producing death or serious bodily injury. -- SB2639

Mar-07 00 Introduction/Passed First Reading - House

## SENATE BILLS WHICH PASSED THIRD READING

Mar-07 00 Single Referral to JHA (586-8480)

SB2643 SD1 (SSCR 2647)

RELATING TO TRAFFIC OFFENSES. Senate President Mizuguchi (BR) (586-6870)

Amends the statewide traffic code relating to accidents and accident reports by changing the term accident to collision. -- SB2643 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2654 SD1 (SSCR 2335)

RELATING TO THE TRAUMATIC BRAIN INJURY TRUST FUND. Senator Chun Oakland (586-6130)

Establishes the traumatic brain injury trust fund that shall be under the custody of the director of finance, to provide care and rehabilitative services to residents who have survived a traumatic brain or spinal cord injury. Establishes the traumatic brain injury trust fund commission within the department of health. Requires the commission to accept applications for and award disbursements of available money from the fund; maintain records of all expenditures, donations, and disbursements; and employ staff, exempt from civil service and compensation provisions. Requires the commission to utilize existing state resources and staff of the departments of human services, education, and health, to the greatest extent practicable. Provides that the commission shall recommend to the governor and the legislature changes in state programs, statutes, policies, budgets, and standards relating to the care and rehabilitation of persons with brain or spinal cord injuries, improve coordination among state agencies that provide care and rehabilitative services, and improve the condition of residents who are in need of rehabilitative services. Allows the commission to accept federal funds granted by Congress or executive order, as well as donations from individuals, private organizations, or foundations. --

Adds that the traumatic brain injury advisory board shall advise the commission. Appropriation. (\$\$) -- SB2654 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to HLT then FIN (586-6380)

SB2655 SD2 (SSCR 2689)

RELATING TO HEALTH. Senator Chun Oakland (586-6130)

Amends provisions relating to patients bill of rights. Defines appointed representative, expedited appeal, external review, independent review organization, and medical necessity. Provides that a managed care plan shall decide any expedited appeal as soon as possible after receipt of the complaint. Authorizes an enrollee, or the enrollee's treating provider or appointed representative to file a request for external review of a managed care plan's final internal determination after exhausting all internal complaint and appeal procedures available. --

Authorizes the insurance commissioner to retain an independent medical expert, exempt from civil service and compensation provisions and compensation provisions and retain services of an independent review organization from an approved list maintained by the commissioner. -- Requires a health intervention to be covered if it is an otherwise covered category of service, not specifically excluded, recommended by the treating health care provider, and determined by the health plan's medical director to be medically necessary. -- SB2655 SD2

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to HLT then CPC then FIN (586-6380)

SB2657 SD2 (SSCR 2657)

RELATING TO HEALTH. Senator Chun Oakland (586-6130)

Requires each policy under accident and sickness provisions, individual and group health care contracts under benefit societies provisions, and each health maintenance organization (HMOs) providing coverage for health care other than an accident only, specified disease, hospital indemnity, medicare supplement, long term care, or other limited benefit health insurance policy to provide coverage for outpatient diabetes self management training, education,

## SENATE BILLS WHICH PASSED THIRD READING

equipment, and supplies. -- SB2657 SD2  
Mar-09 00 Introduction/Passed First Reading - House

SB2658  
RELATING TO GENERAL ASSISTANCE. Senator Chun Oakland (586-6130)  
Allows the department of human services to retain any appropriation for general assistance to households without minor dependents at the close of a fiscal year and the funds retained shall not lapse until June 30 of the 1st fiscal year of the next fiscal biennium. Report to the director of finance and the legislature. Provides any appropriation retained shall be used exclusively for general assistance to households without minor dependents, provided that the retention of an appropriation shall not be used as a basis for reducing future budget requirements. -- SB2658  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to HSH then FIN (586-6050)

SB2666 SD1 (SSCR 2467)  
RELATING TO ELECTIONS. Senate President Mizuguchi (BR) (586-6870)  
Establishes provision relating to election officials, assignment on election day. Provides that in assigning election officials to work in the various election day operational areas no parent, spouse, reciprocal beneficiary, child, or sibling of a candidate shall be eligible to serve as an election official; no candidate who failed to be nominated in the primary or special primary election shall be eligible to serve in the general election next following; officials of the various election day operations shall not all be of the same political party; and in case of inability, failure, or refusal of any person so assigned to serve as an election official, the chief election officer shall appoint a person to fill the vacancy without regard to party affiliation. -- SB2666 SD1  
Mar-09 00 Introduction/Passed First Reading - House

SB2667  
RELATING TO NO CANDIDATES FILED FOR AN ELECTIVE OFFICE.  
Senate President Mizuguchi (586-6870)  
Provides that if after the close of filing for an elective office there are no candidates who have filed nomination papers for the primary, special primary, or any special election, the chief election officer or county clerk shall accept nomination papers for that office no later than 4:30 p.m. on the 15th day prior to the next succeeding primary election or special election. -- SB2667  
Mar-07 00 Introduction/Passed First Reading - House  
Mar-07 00 Single Referral to JHA (586-8480)

SB2668 SD1 (SSCR 2475)  
RELATING TO VOTER REGISTRATION. Senate President Mizuguchi (BR) (586-6870)  
Amends removal of names from register and reregistration provision. Provides that the clerk shall identify or remove the name of any registered voter from the register of voters in compliance with the provisions of the National Voting Rights Act of 1993. -- SB2668 SD1  
Mar-09 00 Introduction/Passed First Reading - House

SB2670  
RELATING TO ELECTIONS. Senate President Mizuguchi (586-6870)  
Amends the arrangement of names on the ballot provision. Provides that immediately to the left of (before) or to the right of (after) the candidate name or names, according to the requirements of the voting system, 2 vertical lines shall be ruled, so that in conjunction with horizontal lines, a box shall be formed to the left of or to the right of the name. -- SB2670  
Mar-07 00 Introduction/Passed First Reading - House  
Mar-07 00 Single Referral to JHA (586-8480)

SB2672  
RELATING TO CONFLICTS OF INTERESTS. Senate President Mizuguchi (BR) (586-6870)  
Amends provision relating to conflicts of interest by public officers and

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employees. Prohibits an employee from taking any official action directly affecting a business or undertaking in which the employee knows or has reason to know that a brother, a sister, a parent, an emancipated child, or a household member has a substantial financial interest, provided that the financial interest of these individuals shall not include those of any spouse or child. -- SB2672

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Single Referral to JHA (586-8480)

SB2674

RELATING TO GOVERNMENTAL EMPLOYEE ORGANIZATION MEETINGS HELD DURING STATE WORKING HOURS. Senate President Mizuguchi (BR) (586-6870)

Amends meetings provision by prohibiting a governmental employee organization to use for partisan political activity any meeting allowed by provision unless the governmental employee organization reimburses the State for the total cost of state salaries and fringe benefits of employees for any state time employees are present during partisan political activity. -- SB2674

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Single Referral to JHA/ LAB/ (586-8480)

SB2675 SD1 (SSCR 2612)

RELATING TO THE SALARY OF THE EXECUTIVE DIRECTOR OF THE STATE ETHICS COMMISSION. Senate President Mizuguchi (BR) (586-6870)

Amends provision relating to the salary of the executive director of the state ethics commission. Provides that the salary of the executive director shall be set by the ethics commission and shall exceed of the associate director of the ethics commission by 5 per cent. -- SB2675 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2685

RELATING TO TRUSTS AND ESTATES. Senate President Mizuguchi (BR) (586-6870)

Amends provision relating to power of uniform trustees. Provides that a trustee has the power to divide a single trust into 2 or more separate trusts for administration or tax purposes, including the allocation of the generation skipping transfer exemption; provided the terms of the new trust provide, in the aggregate, for the same succession of interests and beneficiaries as are provided in the original trusts. -- Amends provision relating to disposition of unclaimed assets. Provides that when any real or personal property remains in the hand of the personal representative or trustee, after all payments have been made, and no heirs or claimants of the decedent, or beneficiaries of a trust, entitled to the property, can be located after reasonable search, the personal representative or trustee, at the filing of the petition for final accounts, or termination of the trust, shall report the fact to the court, which shall enter an order authorizing the transfer of the property to the state director of finance. -- Raises the threshold for classification as a small estate from 60,000 dollars to 100,000 dollars. -- SB2685

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to JHA then FIN (586-8480)

SB2686 SD1 (SSCR 2162)

RELATING TO VEHICLES. Senate President Mizuguchi (BR) (586-6870)

Amends county vehicle weight tax provisions to provide that any person who uses a motor vehicle upon a public highway with a delinquent weight tax shall be fined not more than 500 dollars. -- SB2686 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to TRN/ JHA/ then FIN (586-6180)

SB2690 SD2 (SSCR 2724)

RELATING TO PROBATION. Senate President Mizuguchi (BR) (586-6870)

Requires a court, upon sentencing a defendant to probation, to order the defendant to pay a probation service fee of 150 dollars for a term of more than 1 year, or 75 dollars for a term of 1 year or less. Establishes the probation

## SENATE BILLS WHICH PASSED THIRD READING

services fund to be used by the judiciary to monitor, enforce, and collect fees, fines, restitution, other monetary obligations owed by defendants, and other terms and conditions of probation. Exempts the fund from contributing to central service and administrative expenses of the government. Appropriation. (\$\$) -- SB2690 SD2

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to JHA then FIN (586-8480)

SB2691

RELATING TO THE JUDICIARY. Senate President Mizuguchi (BR) (586-6870) Amends provision relating to civil enforcement. Provides that no filing fees or surcharges shall be assessed for the institution of an action pursuant to district court and circuit court costs. -- SB2691

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to JHA then FIN (586-8480)

SB2692 SD2 (SSCR 2613)

RELATING TO SALARIES. Senate President Mizuguchi (BR) (586-6870)

Increases the salaries effective July 1, 1999, for the judiciary administrative director and administrative deputy director. Provides for additional salaries increase effective July 1, 2000. Provides that the administrative director and the deputy administrative director shall receive salaries to be determined by the chief justice based upon merit and other relevant factors effective July 1, 2001. Provides that the salary levels of the administrative director, and the factors used to determine such salaries, shall be disclosed in the judiciary's annual budget submission to the legislature. Appropriation. (\$\$) -- SB2692 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2706 SD1 (SSCR 2680)

RELATING TO TAXATION. Senator Kawamoto (586-6970)

Provides a general excise tax exemption for amounts received as rent for the rental or leasing of aircraft used or held for use by persons for commercial transportation for compensation or hire of passengers or goods or other tangible personal property between points in this State or between a point in this State and a point outside this State. -- Amends the definition of use for use tax provisions to include the use of aircraft engaged in, or imported, purchased, leased, rented, or other wise acquired for commercial transportation for compensation or hire of passengers or goods or other tangible personal property between points in this State or between a point in this State and a point outside this State. -- SB2706 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2711 SD1 (SSCR 2459)

RELATING TO ADMINISTRATIVE PROCEDURE. Senator Inouye (586-7335)

Amends provision relating to repeal of administrative rules. Provides that any administrative rule that has been adopted pursuant to a state statute or county ordinance that has been repealed shall be repealed within 6 months, without regard to the notification requirements. Further provides that any administrative rule that has been adopted pursuant to a federal statute or regulation shall be exempt from the requirements. -- SB2711 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2716 SD1 (SSCR 2664)

RELATING TO TAXATION. Senator Sakamoto (586-8585)

Amends general excise tax provisions to provide that sales by a printer to a publisher of magazines or similar printed materials containing advertisements, when the publisher is under contract with advertisers to distribute a minimum number of magazines or similar printed materials to the public or defined segment of the public whether or not there is a charge to the persons who actually receive the magazines or similar printed materials shall be considered sales at wholesale. Provides a use tax exemption for a publisher of magazines or similar printed materials containing advertisements, when the publisher is under contract with advertisers to distribute a minimum number of magazines

## SENATE BILLS WHICH PASSED THIRD READING

or similar printed materials to the public or defined segment of the public whether or not there is a charge to the persons who actually receive the magazines or similar printed materials. -- SB2716 SD1  
Mar-09 00 Introduction/Passed First Reading - House

SB2717 SD1 (SSCR 2570)

RELATING TO SOCIAL WORKERS. Senator Kanno (586-6830)  
Allows the director of commerce and consumer affairs to enter into reciprocity agreements with other states and issue a license to a social worker who has been licensed in that state, provided that the requirements for a license in the state in which the applicant is licensed are deemed by the director to be higher or equivalent to the requirements for a license in this State. Further allows the director to issue a license by endorsement by honoring a passing score on the examination of the Association of State Social Work Boards. -- Repeals the sunset date of the social workers law. -- Requires each applicant for licensure who have passed the Academy of Certified Social Workers examination administered by the National Association of Social Workers prior to June 30, 1995 to be deemed to have satisfied the requirements only if the application is filed with the department by June 30, 2000. -- SB2717 SD1  
Mar-09 00 Introduction/Passed First Reading - House

SB2722 SD1 (SSCR 2253)

RELATING TO HAWAIIAN LANGUAGE IMMERSION PROGRAM. Senator Anderson (586-6840)  
Establishes the Hawaiian language immersion law. Provides that the Hawaiian language immersion program shall be a complete educational program or schooling experience provided to students in the medium of Hawaiian language. Requires the department of education to administer and oversee the program. Requires the department to create a separate office of Hawaiian language immersion instruction to direct and control the program. Provides that when 15 or more qualified children in any 1 departmental school district wish to enroll in the program, the superintendent of education may provide facilities or provide transportation to the nearest site. Amends teachers with special assignments to include immersion teachers. Adds that the department may establish and maintain charter schools, lab schools, and Hawaiian language immersion schools. Appropriation. (\$\$) -- SB2722 SD1  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to EDN then FIN (586-8470)

SB2725

RELATING TO TOWING COMPANIES. Senator Kawamoto (586-6970)  
Amends requirements for towing companies, to apply without regard to whether they are engaged by the owner, occupant, or person in charge of the property. -- SB2725  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to TRN then CPC (586-6180)

SB2729 SD1 (SSCR 2744)

RELATING TO SERVICE CONTRACTS. Senator Taniguchi (586-6460)  
Establishes the service contracts law. Defines service contract to mean a contract or agreement for a separately stated consideration and specific duration to perform or indemnify the repair, replacement, or maintenance of property for operational or structural failure due either to a defect in materials or workmanship or to normal wear and tear with or without additional provision for incidental payment or indemnity under limited circumstances including towing, rental, and emergency road service. Provides that providers fees shall not be subject to premium taxes but than premiums collected on service contract reimbursement insurance policies shall be subject to applicable premium taxes. Requires registration of providers by the insurance commissioner. -- SB2729 SD1  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to CPC then FIN (586-6150)



## SENATE BILLS WHICH PASSED THIRD READING

- SB2731 SD1 (SSCR 2258) RELATING TO INSURANCE. Senator Taniguchi (586-6460)  
Amends insurance provisions relating to administrative refunds of any insurance tax, fee, or other charge to be made out of the general fund and for any tax in error to be paid out of the insurance regulation fund. -- SB2731 SD1  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to CPC then FIN (586-6150)
- SB2736 SD2 (SSCR 2596) RELATING TO KIKALA-KEOKEA. Senator Levin (586-6760)  
Amends Act 242, session laws of 1991 by changing low interest loans to residents who have suffered the loss of their homes and lands to the devastating effects of the continued volcanic eruptions on the island of Hawaii to funds for the development of infrastructure at Kikala Keokea. Appropriation to the department of land and natural resources, rather than the housing finance and development corporation, to provide funding for infrastructure development to benefit residents of Hawaiian ancestry at Kalapana. Establishes an infrastructure development fund to be administered by the department of land and natural resources. Provides that all funding commitments to complete the design and construction of infrastructure improvements shall be executed before any moneys can be disbursed. (\$\$) -- SB2736 SD2  
Mar-09 00 Introduction/Passed First Reading - House
- SB2741 RELATING TO THE STATE WATER CODE. Senate President Mizuguchi (BR) (586-6870)  
Amends Act 101, session laws of 1998 by extending the date required by the chairperson of the board of agriculture to submit the state agricultural water use and development plan to the legislature from 2000 to 2002. -- SB2741  
Feb-22 00 Introduction/Passed First Reading - House  
Mar-01 00 Multiple Referral to AGR/ WLU/ then FIN (586-6010)
- SB2742 RELATING TO PORK. Senate President Mizuguchi (BR) (586-6870)  
Repeals provision relating to labeling to pork products under the advertising and marketing law. -- SB2742  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to AGR then CPC then FIN (586-6010)
- SB2745 SD1 (SSCR 2556) RELATING TO AQUACULTURE. Senate President Mizuguchi (BR) (586-6870)  
Establishes provisions relating to fees for aquaculture services. Authorizes the department of agriculture to establish and assess fees for aquatic animal and plant health diagnostic services, and for any items or expert services purchased from the department related to aquaculture planning, disease management, and the marketing of seafood products. Establishes the aquaculture development special fund to implement the aquatic disease management programs and activities of the department, including provision of state funds to match federal grants; and to support research and development programs and activities relating to expansion of the state aquaculture industry. Appropriation to the department of agriculture. (\$\$) -- SB2745 SD1  
Mar-09 00 Introduction/Passed First Reading - House
- SB2747 SD1 (SSCR 2449) RELATING TO AGRICULTURE. Senate President Mizuguchi (BR) (586-6870)  
Amends provision relating to the duties of the department of agriculture. Provides that in cooperative agreement with any authorized federal agency, employees of the cooperative agency may be designated to carry out, on behalf of the State the same as department personnel, specific duties and responsibilities, and rules adopted for the effective prosecution of pest control, and animal disease control, and regulation of import into the State and intrastate movement of regulated articles. Adds plant and nondomestic animal quarantine provision to the department's various duties. -- SB2747 SD1

## SENATE BILLS WHICH PASSED THIRD READING

Mar-07 00 Introduction/Passed First Reading - House  
Mar-07 00 Multiple Referral to AGR then FIN (586-6010)

SB2750 SD1 (SSCR 2705)

MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES, INFORMATION AND COMMUNICATION SERVICES DIVISION. Senate President Mizuguchi (BR) (586-6870)

Appropriation to the department of accounting and general services to be used in support of the state's information technology program. (\$\$) -- SB2750 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2751 SD2 (SSCR 2546)

RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE STATE AND PROVIDING APPROPRIATIONS THEREFOR. Senate President Mizuguchi (BR) (586-6870)

Appropriation for the purpose of satisfying claims for legislative relief to persons, firms, corporations, and entities which have claims against the State due to overpayment of taxes, refunds, reimbursements, payments of judgments or settlements, or other liabilities. (\$\$) -- SB2751 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2758 SD1 (SSCR 2470)

RELATING TO CHILD SUPPORT ENFORCEMENT. Senate President Mizuguchi (BR) (586-6870)

Amends provision relating to assignment by court order of future income for payment support. Provides that the order of assignment to the child support enforcement agency shall be in the standard format prescribed by the Social Security Act, as amended by the child support enforcement agency. Provides that the order of assignment shall be effective immediately after service upon an employer of a true copy of the order, which service may be effected by regular mail, by personal delivery, or transmission by electronic means. Provides that an employer withholding income for payment to the child support enforcement agency shall terminate withholding upon receipt of a notice from the child support enforcement agency to terminate income withholding. -- SB2758 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2759 SD1 (SSCR 2289)

RELATING TO CERTIFICATES OF IDENTIFICATION. Senate President Mizuguchi (BR) (586-6870)

Amends provision relating to registration and issuance of certificates; fee; revolving fund. Provides that application for renewal of a certificate of identification issued after November 1, 1998, for a person 65 years and older may be done by mailing in a completed application and fee, if there is no change in name and citizenship. Amends provision relating to expiration date.

Provides that every certificate of identification issued shall bear an expiration date which shall be on the person's birthday, 6 years after the year of issuance.

To provide for the transition to expiration dates that are birthdays of the person issued certificates, any certificate issued with an expiration date other than the person's birthday, the certificate shall not expire until the person's next birthday following the certificate's stated expiration date. -- SB2759 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to JHA then FIN (586-8480)

SB2764 SD1 (SSCR 2320)

RELATING TO TOBACCO PRODUCTS REPORT. Senate President Mizuguchi (BR) (586-6870)

Establishes tobacco products report law. Provides that any tobacco product manufacturer selling cigarettes to consumers within this State shall file a report with the attorney general setting forth its name and trade name; the address of its principal place of business; a memorandum or a copy of the invoice covering each and every shipment of cigarettes made during the previous calendar quarter into this State; and other information as may be required by the attorney

## SENATE BILLS WHICH PASSED THIRD READING

general. Exempts information that tends to identify customers to tobacco product manufacturers, terms of sale, and non aggregated sales volume data from disclosure under affirmative agency disclosure responsibilities provision. Provides that the attorney general may bring a civil action against any tobacco product manufacturer that fails to file the reports required. -- SB2764 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to HLT then JHA then FIN (586-6380)

SB2766 SD1 (SSCR 2164)

RELATING TO CONDOMINIUM PROPERTY REGIMES. Senate President Mizuguchi (BR) (586-6870)

Establishes provision relating to conformance with county land use ordinances.

Requires any condominium property regime to conform to county zoning for the property and all applicable county permitting requirements, including supplemental rules and regulations. Provides that in the case of a property which includes 1 or more existing structures being converted to condominium status, such a condominium property regime shall comply with provisions relating to recordation and contents of declaration and final reports. -- Amends provision relating to the recordation and contents of declaration, within the condominium property regime laws. Requires any declaration under penalty of law that the condominium property regime is in compliance with all zoning, building ordinances, codes and all other permitting requirements, except a project registered pursuant to the notification of intention provision. -- Amends provision relating to final reports, by including the declaration of compliance requirement. -- SB2766 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to WLU then CPC (586-6110)

SB2769

RELATING TO REDUCING GREENHOUSE GAS EMISSIONS. Senate President Mizuguchi (BR) (586-6870)

Provides that the planning for the state's facility systems with regard to energy shall include the achievement towards reduced greenhouse gas emissions from energy supply and use that cause global climate change. -- SB2769

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Single Referral to EEP (586-8435)

SB2779 SD1 (SSCR 2176)

RELATING TO STATE ENTERPRISE ZONES. Senate President Mizuguchi (BR) (586-6870)

Amends provision relating state enterprise zones by adding the definition of call center. Amends the definition of enterprise zone, qualified business, service business, and telecommunications services. Amends the eligibility provision to include qualified business, sales of property or service. Provides that a business may be designated a qualified business on a yearly basis by obtaining the approval of the applicable governing county body and department upon providing satisfactory proof that the business firm is eligible to be a qualified business and satisfies the definition of qualified business. Requires the business firm to resubmit an application on an annual basis to continue its designation as a qualified business for each subsequent year upon the initial approval as a qualified business for the 1st year from the applicable county governing body and department. Requires the department of business, economic development, and tourism to certify annually to the department of taxation any qualified business that is exempt from the payment of general excise taxes for the engaging in research, development, sale, or production of all types of genetically engineered medical, agricultural, or maritime biotechnology products. -- SB2779 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to EDB then FIN (586-6530)

SB2781 SD2 (SSCR 2615)

RELATING TO TAXATION. Senate President Mizuguchi (BR) (586-6870)

## SENATE BILLS WHICH PASSED THIRD READING

Provides a hotel construction and remodeling income tax credit of 4 per cent of the construction or renovation costs incurred during the taxable year for each qualified hotel facility located in Hawaii. Tax credit applies from December 31, 1998, until December 31, 2001 (sunset). Repeals Act 306, session laws of 1999, the qualified improvement tax credit law. -- SB2781 SD2  
Mar-09 00 Introduction/Passed First Reading - House

SB2782 SD1 (SSCR 2690)

RELATING TO BIOLOGICAL MATERIALS. Senate President Mizuguchi (BR) (586-6870)  
Establishes biological materials law. Defines biological materials to mean genetic materials, organisms, or parts thereof, or any other biotic component of an ecosystem with actual or potential use or value for humanity. Defines genetic material to mean any material of plant, animal, microbial, or other origin containing functional units of heredity. Provides that for all purposes under the laws of this state, biological materials shall be considered personal property. -- Amends the definition of trade secret to include biological material. -- SB2782 SD1  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to EDB then JHA (586-6530)

SB2783

RELATING TO ECONOMIC DEVELOPMENT FINANCING. Senate President Mizuguchi (BR) (586-6870)  
Establishes the Hawaii technology fund within the high technology development corporation. Amends investments provision under the pension and retirement system law by adding that investments of up to 10 per cent of alternative asset allocations may be made in venture capital funds in conjunction with or through the Hawaii strategic development corporation or the high technology development corporation. Appropriation to the high technology development corporation. (\$\$). -- SB2783  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to EDB/ HED/ LAB/ then FIN (586-6530)

SB2785 SD1 (SSCR 2434)

RELATING TO UNCLAIMED PROPERTY. Senate President Mizuguchi (BR) (586-6870)  
Establishes the unclaimed property trust fund, which shall be administered by the director of finance, to pay claims for return of abandoned property to their rightful owners and to other states' unclaimed property programs for owners whose last known address was in that other state. Provides that all moneys collected by the unclaimed property program for holders, and proceeds from the sale of unclaimed property less costs in connection with the sale of the abandoned property shall be deposited into the unclaimed property trust fund. -- Amends provision relating to deposit of funds within the unclaimed property law by replacing general fund with unclaimed property trust fund. Provides that all funds in excess of 1 million remaining on balance in the unclaimed property trust fund on June 30 of each year shall be transferred by the director to the general fund. Appropriation to the department of budget and finance for the purpose of satisfying claims for return of abandoned property. (\$\$) -- SB2785 SD1  
Mar-07 00 Introduction/Passed First Reading - House  
Mar-07 00 Multiple Referral to JHA then FIN (586-8480)

SB2791

MAKING AN EMERGENCY APPROPRIATION TO PAY THE SHARE OF HEALTH INSURANCE CARRIER REFUND AND RATE CREDIT AMOUNTS DUE TO THE FEDERAL GOVERNMENT. Senate President Mizuguchi (BR) (586-6870)  
Appropriation to the department of budget and finance for the return to the federal government of the federal share of health insurance rate credits and rebates received by the State. (\$\$) -- SB2791

## SENATE BILLS WHICH PASSED THIRD READING

Mar-07 00 Introduction/Passed First Reading - House  
Mar-07 00 Single Referral to FIN (586-6200)

SB2793 SD1 (SSCR 2768)

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM. Senate President Mizuguchi (BR) (586-6870)

Amends provision relating to the employees' retirement system by amending the definition of average final compensation by excluding overtime compensation which is contrary to negotiated provisions. Provides that in order to reduce or eliminate the excessive use of overtime that is intended to improperly increase an employee's pension benefit, an employer and the exclusive bargaining representative may negotiate over the inclusion, partial inclusion, or exclusion of overtime in the calculation of an employee's average final compensation. Prohibits excluded officer or employee from increasing their average final compensation calculation through the assignment of overtime to increase benefits. Requires the department of human resources development to analyze other public and private sector pension and compensation systems and to develop alternative legislative models that address whether overtime should be calculated in determining an employee's retirement benefits. Report to the legislature. Further provides that provisions shall only apply to public employees 1st hired into public service on or after January 1, 2001. -- SB2793 SD1

Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Single Referral to LAB/ FIN/ (586-8450)

SB2802 SD1 (SSCR 2769)

RELATING TO PUBLIC EMPLOYEE HEALTH BENEFITS. Senate President Mizuguchi (BR) (586-6870)

Establishes the Hawaii multiple employer union health trust within the department of budget and finance. Provides that the trust shall be governed by a state health trust board of trustees to oversee all aspects of administering the health benefits plan; specify and adopt minimum administrative and benefits plan standards applicable to employer union health trust funds; have the authority and power to require the employer union health trust funds to comply with any rules adopted; establish and adopt eligibility criteria not inconsistent with this provision to determine which employee, dependent, or person may qualify as an employee beneficiary, dependent beneficiary, or qualified beneficiary, respectively; establish conditions under which employee beneficiaries may enroll and transfer enrollment from 1 employer union health trust fund to another. Allows the state health trust board to require any departments, agency, or employee of the state and counties to furnish information to the employer union health trust funds; appoint an administrator and staff necessary who shall be exempt from civil service and compensation provisions; assist the employer in implementing and administering cafeteria plans authorized Internal Revenue Code of 1986. Provides that the board shall oversee all aspects of administering the special trust fund to accumulate reserves toward cost of providing benefits for retirees in the future. Authorizes the board to require the trust funds to establish and maintain a health benefits plan which takes into account benefits available to an employee beneficiary and spouse under the federal medicare plan. Establishes the employer union health trust funds to provide or make available to all employee beneficiaries and dependent beneficiaries health, life, disability, and long term care benefits, and voluntary life, disability, property, and casualty benefits. Requires the State, through the department of budget and finance and the several counties through their respective department to pay to the fund a monthly contribution equal to the amount established under excluded employees provision or specified in the applicable public sector collective bargaining agreements for employee beneficiaries, whichever is appropriate, for each of their respective employee beneficiaries and employee beneficiaries with dependent beneficiaries; and for retired members of the employees' retirement system, the county pension

## SENATE BILLS WHICH PASSED THIRD READING

system, or the police, firefighters, or bandsmen pension system who were hired on or before June 30, 1996, and retired on or after July 1, 1984, with less than 10 years of service, excluding sick leave. Requires that the State through the department of budget and finance and the several counties to pay to the appropriate trust fund a monthly contribution equal to 1/2 of the retired employee's monthly medicare or nonmedicare premium based on a self plan for retired employees with less than 10 years of service; 100 per cent of the retired employee's monthly supplemental medicare plan or non medicare plan premium based on a self plan for retired employees with 10 or more years of service; 1/2 of the retired employee's monthly supplemental medicare plan or non medicare plan premium for retired employees with 10 or more years but fewer than 15 years of service; 75 per cent for retired employees with at least 15 but fewer than 25 years of service; 100 per cent for retired employees with 25 year or more years of service; the total monthly premium for each child who has not attained the age of 19 of all employee beneficiaries who are enrolled in the trust fund's dental plan for children; and total monthly premium for each retired employee enrolled in the trust fund's group life insurance benefits plan. Provides the insurance commissioner shall have oversight authority of the multiple employer union health trust, including subordinate employer union health benefits trust funds. Authorizes the employees' retirement system, upon the request of the Hawaii multiple employer union reimburse the trust for costs incurred in providing health benefits to retirees. Provides criteria. Repeals the Hawaii public employees health fund provision. Transfers all appropriations, assets, including funds to be refunded to employees and any funds in benefits plans, and other personal property heretofore made, used, acquired, or held by the public employees health fund to the Hawaii employer union health benefit trust, effective July 1, 2002. Provides the board of trustees of the Hawaii multiple employer union health trust shall be appointed by the governor no later than December 29, 2000. Authorizes the board to extend current health benefit and life insurance plan contracts that expire on June 30, 2002. Appropriation to the department of budget and finance. (\$\$) -- SB2802 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Single Referral to LAB/ FIN/ (586-8450)

SB2804

### RELATING TO ADVANCED PRACTICE REGISTERED NURSES RECOGNITION.

Senate President Mizuguchi (BR) (586-6870)

Requires the board of nursing to grant recognition as an advanced practice registered nurse to a nurse that has an unencumbered recognition as an advanced practice registered nurse or similar designation in all other states in which the nurse has a current and active recognition. Provides that any person who has a current, unencumbered recognition from the board to practice as an advanced practice registered nurse shall use the title and abbreviation, APRN.

-- SB2804

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to HLT then CPC (586-6380)

SB2805

### RELATING TO THE DUTIES OF THE BOARD OF NURSING. Senate President Mizuguchi (BR) (586-6870)

Amends provisions relating to the powers and duties of the board of nursing. Authorizes the board to adopt, amend, or repeal rules which include but are not limited to the standards set forth by national certifying bodies recognized by the board; prescribe standards for preparing persons for licensure of practical nurses and registered nurses and for recognition of advanced practice registered nurses; provide consultation, conduct conferences, forums, studies, and research on nursing education and practice; communicate with national organizations that promote the improvement of the legal standards; authorize the administration of examinations; employ, contract, and cooperate with any

## SENATE BILLS WHICH PASSED THIRD READING

board approved organization in the preparation and grading of an appropriate nationally uniform examination; and develop and adopt rules necessary relating to the practice of nursing in telehealth. -- SB2805

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to HLT then CPC (586-6380)

SB2808

RELATING TO THE CONSUMER ADVOCATE. Senate President Mizuguchi (BR) (586-6870)

Exempts the division of consumer advocacy from the provision prohibiting departments other than the attorney general to employ attorneys by contract or otherwise. Provides that the director of commerce and consumer affairs may appoint or retain without regard to civil service law and compensation law attorneys to provide legal services for the division of consumer advocacy. Further provides that nothing in this provision precludes the director of from requesting and securing legal services from the attorney general and the department of the attorney general. Appropriation. (\$\$) -- SB2808

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to CPC then FIN (586-6150)

SB2809 SD1 (SSCR 2259)

RELATING TO THE PUBLIC UTILITIES COMMISSION. Senate President Mizuguchi (BR) (586-6870)

Amends public utilities complaints provisions to add that the consumer advocate shall assist utility customers in the handling of consumer complaints before the public utilities commission, concurrent with the general powers of the public utilities commission, and the commission shall provide a central clearing house of information by collecting and compiling all consumer complaints and inquiries concerning public utilities. -- SB2809 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to CPC then FIN (586-6150)

SB2811 SD1 (SSCR 2506)

RELATING TO MOTOR VEHICLE INSURANCE. Senate President Mizuguchi (BR) (586-6870)

Prohibits an insurer to refuse to continue a motor vehicle insurance policy based on a person's credit rating. Prohibits an insurer to base any underwriting guideline, standard, or rating plan on a person's residence. -- SB2811 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2814 SD1 (SSCR 2507)

RELATING TO INSURANCE. Senate President Mizuguchi (BR) (586-6870)

Amends domestic insurer provisions to establish provisions for proxies, consents, and authorizations of domestic stock insurers. -- Amends motor vehicle insurance. Includes provisions for self insurers. Defines alternative care provider, anesthetist, and medical fee schedule. Prohibits identification card to be issued for a period exceeding the paid premium period. Excludes motor vehicles insured under the joint underwriting plan from the driver's education fund assessment. -- Amends holding company provisions to define executive officer, statement, and ultimate controlling person. Amends insurer's surplus provisions. -- Amends mass merchandising provisions to provide that establishment and maintenance of an office by any licensed general agent of an insurer shall meet the requirements of these provisions. -- SB2814 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2815 SD1 (SSCR 2624)

RELATING TO INSURANCE. Senate President Mizuguchi (BR) (586-6870)

Establishes provisions to require any person who is engaged in the business of insurance or who is about to engage in the business of insurance, who has been convicted of any felony to request the insurance commissioner's written consent to engage in the business of insurance. -- SB2815 SD1

Mar-09 00 Introduction/Passed First Reading - House

## SENATE BILLS WHICH PASSED THIRD READING

SB2818 SD1 (SSCR 2745)

RELATING TO INSURANCE. Senate President Mizuguchi (BR) (586-6870)  
Establishes the Hawaii viatical settlements Act. Defines viator as the owner of a life insurance policy or a certificate holder under a group policy insuring the life of an individual who does not have a catastrophic or life threatening illness or condition, or a chronic illness or condition diagnosed to be terminal and which causes the individual to have a life expectancy of less than 24 months and who enters or seeks to enter into a viatical settlement contract. Provides that a viatical settlement contract means a written agreement between a viatical settlement provider and a viator. Provides that the agreement shall establish terms under which the provider shall pay compensation or anything of value, which is less than the expected death benefit in return for the viator's assignment, transfer, sale, devise, or bequest of the death benefit or ownership of all of a portion of the insurance policy or certificate to provider. Prohibits a person to operate as a viatical settlement provider, viatical representative, or viatical settlement broker without a license from the insurance commissioner. -- SB2818 SD1

Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Single Referral to CPC (586-6150)

SB2819 SD1 (SSCR 2508)

RELATING TO INSURANCE. Senate President Mizuguchi (BR) (586-6870)  
Amends life insurance provisions. Establishes provisions for policy illustrations and replacing life insurance policies and annuities. -- SB2819 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2826 SD1 (SSCR 2573)

RELATING TO EXEMPTIONS FOR PSYCHOLOGIST LICENSURE. Senate President Mizuguchi (BR) (586-6870)

Exempts any person who is a member of another profession licensed under the laws of this jurisdiction to render or advertise services, including psychotherapy, within the scope of practice regulating the person's professional practice, provided that the person does not represent the person's self to be a psychologist or does not represent that the person is licensed to practice psychology, from psychologist law. -- SB2826 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2827

RELATING TO CHIROPRACTIC LICENSURE REQUIREMENTS. Senate President Mizuguchi (BR) (586-6870)

Amends provision relating to chiropractic licensure requirements. Requires any person applying for a license to practice chiropractic to submit to the board of chiropractic examiners satisfactory proof that the applicant has met the educational requirements prescribed by the rules of the board; and satisfactory proof that the applicant graduated from a chiropractic college accredited by, or recognized as a candidate for accreditation by, any chiropractic college accrediting agency recognized by the US Department of Education. Provides that an applicant shall be licensed if the requirements of the uniform professional and vocational licensing provisions and the chiropractors provisions have been met along with successful completion of the national board of chiropractic examiners (NBCE) and physiotherapy; or successful completion of NBCE, physiotherapy, and special purposes examination (SPEC) and evidence of licensure in good standing under laws of another state after December 31, 1988; or successful completion of NBCE, physiotherapy, and SPEC and evidence of licensure in good standing under the laws of another state prior to January 1, 1989. Provides that the board shall require any licensed chiropractor seeking approval to use physiotherapy modalities and all new applicants for chiropractic licensure to take and pass the NBCE physiotherapy examination. -- SB2827

Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to HLT then CPC (586-6380)



## SENATE BILLS WHICH PASSED THIRD READING

- SB2829 SD1 (SSCR 2575) RELATING TO RETURN OF PRESCRIPTION DRUGS. Senate President Mizuguchi (BR) (586-6870)  
Amends provisions relating to the duties of registered pharmacist. Allows prescription drugs previously dispensed or distributed by a pharmacist to be returned to and redispensed or redistributed by the pharmacist if the prescription drug is in its dispensed, unopened, tamper evident single user unit; has remained at all times in control of a person trained and knowledgeable in the storage and administration of drugs in institutional facilities or supervised living groups using the services of a consultant pharmacist; has not been adulterated or misbranded and has been stored under conditions meeting the US Pharmacopoeia standards; is returned and redispensed or redistributed before the expiration date; and is not a controlled substance as described in the uniform controlled substances Act. -- SB2829 SD1  
Mar-09 00 Introduction/Passed First Reading - House
- SB2830 RELATING TO EMPLOYMENT OF SCHOOL PRINCIPALS AND VICE PRINCIPALS. Senate President Mizuguchi (BR) (586-6870)  
Replaces acting principal with vice principal for credentialing requirements. -- SB2830  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Single Referral to EDN (586-8470)
- SB2836 SD1 (SSCR 2500) RELATING TO EDUCATION. Senate President Mizuguchi (BR) (586-6870)  
Allows the board of education to adopt policies to define the terms progressively competent in the use of computer technology and progressive standards of competency in a language in addition to English. Provides that the statewide educational policies shall be exempt from the adoption, amendment, and repeal procedures of the administrative procedure law. -- SB2836 SD1  
Mar-09 00 Introduction/Passed First Reading - House
- SB2837 SD1 (SSCR 2379) RELATING TO EDUCATIONAL ACCOUNTABILITY. Senate President Mizuguchi (BR) (586-6870)  
Amends the educational assessment and accountability provisions by repealing assessment. Requires the department of education to implement a comprehensive system of educational accountability to motivate and support the improved performance of students and the education system. Adds that the accountability system include student accountability; school or collective professional accountability; individual professional accountability for teachers, principals, and other employees; and public accounting for other significant partners to the education process. Also that the system develop a collaborative process with stakeholders including bargaining units, parents, administration, and students. Also that the system invoke appropriate consequences for observed performance; involve a statewide student assessment program that provides annual data on student, school, and system performance in core subjects at each grade level; require that teachers and administrators engage in continuous growth and development; and establish an explicit link between professional evaluation results and individual accountability for professional development of the knowledge, skill, and professional behavior necessary to the position. Requires the annual report to the legislature, governor, and board of education to include each school's standards implementation design necessary to create the system. -- Repeals the sunset date of school by school assessment of educational outcomes. -- Prohibits the implementation of these provisions to be subject to collective bargaining negotiations until June 30, 2003. -- Amends Act 74, session laws of 1999, to require the department to report to the legislature and the governor on the status of the implementation of the educational accountability system. -- SB2837 SD1  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to EDN then LAB/ FIN/ (586-8470)

## SENATE BILLS WHICH PASSED THIRD READING

- SB2838 SD1 (SSCR 2778) RELATING TO THE STATE INTERNET PORTAL. Senate President Mizuguchi (BR) (586-6870)  
Defines internet portal to mean the centralized electronic information system by which information is provided via dial in modem or continuous link to the public through subscription or through public libraries. Defines portal manager to mean the entity or person engaged to manage and operate the internet portal in behalf of the state of Hawaii. Establishes the access Hawaii committee within the office of the governor, on a special and temporary basis, until June 30, 2003, at which time the committee shall cease to exist (sunset). Requires the committee to provide oversight of the portal manager, assist the Hawaii state public library system in providing access to the Internet portal, and submit an annual report to legislature. Appropriation to the library system. (\$\$) -- SB2838 SD1  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to EDB then FIN (586-6530)
- SB2843 RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED.  
Senate President Mizuguchi (BR) (586-6870)  
Amends the Hawaiian homes commission Act. Provides that the department of Hawaiian home lands is expressly authorized to negotiate, prior to negotiations with the general public, the disposition of Hawaiian home lands or any improvements thereon to a native Hawaiian or an organization or association owned controlled by native Hawaiians for commercial, industrial, or other business purposes, in accordance with public lands provision. -- SB2843  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to JHA then FIN (586-8480)
- SB2847 SD2 (SSCR 2633) RELATING TO PROSPECTIVE ADOPTIVE PARENTS. Senate President Mizuguchi (BR) (586-6870)  
Establishes provision relating to prospective adoptive parents. Requires the department of human services to develop standards to assure the reputable and responsible character of prospective adoptive parents which shall include but not be limited to criminal history record checks. Provides that prospective adoptive parents shall submit a signed statement indicating whether the person was ever convicted of a crime other than a minor traffic violation; provide consent to the department to conduct and obtain criminal history record check; and be fingerprinted. Authorizes the department to deny the prospective adoptive parents' petition to adopt a child or children. Allows the department to authorize or contract for prospective adoptive parents' home studies for children under the department's custody by experienced social workers with specialized adoption experience. Defines prospective adoptive parents to mean a person or persons who are married to each other, applying with the department of human services to adopt a child or children. -- Provides that criminal history record information may be disseminated to the department of human services for the purposes of this provision. -- SB2847 SD2  
Mar-09 00 Introduction/Passed First Reading - House
- SB2848 RELATING TO THE PERMANENT PLAN HEARING. Senate President Mizuguchi (BR) (586-6870)  
Amends provision relating to permanent plan hearing in the child protection Act. Allows the court to waive the approval of the child, age 14 and above, to the permanent plan, if it is in the best interest of the child to do so. -- SB2848  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Single Referral to JHA (586-8480)
- SB2849 RELATING TO REVIEW HEARINGS. Senate President Mizuguchi (BR)

## SENATE BILLS WHICH PASSED THIRD READING

(586-6870)

Amends provision relating to child protective review hearings by redefining the period when the child has been residing outside of the family home to include from the initial date of entry into out of home care. -- SB2849

Mar-02 00 Introduction/Passed First Reading - House

Mar-07 00 Single Referral to JHA (586-8480)

SB2850 SD1 (SSCR 2431)

RELATING TO KINSHIP CARE. Senate President Mizuguchi (BR) (586-6870)  
Authorizes the department of human services to adopt rules relating to kinship care that shall be apart from other foster care placement standards and eligibility requirements and includes but shall not be limited to criminal history record checks. Provides that a person who desires to provide kinship care shall submit a signed statement indicating whether the person was ever convicted of a crime other than a minor traffic violation; provide consent to the department to conduct and obtain criminal history record check; and be fingerprinted. Authorizes the department to deny the request to provide kinship care. Defines kinship care to mean the placement with an adult relative who provides care and maintenance to a related child apart from the child's parents or guardians on 24 hour basis. -- SB2850 SD1

Mar-02 00 Introduction/Passed First Reading - House

Mar-07 00 Multiple Referral to HSH then FIN (586-6050)

SB2856 SD1 (SSCR 2232)

RELATING TO PUBLIC ASSISTANCE. Senate President Mizuguchi (BR) (586-6870)

Amends provision relating to real property liens by the department of human services. Provides that the agreement or the lien shall be recorded in bureau of conveyances or be filed in the office of the assistant registrar of the land court for all amounts of assistance a person receives. -- SB2856 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to HSH then JHA then FIN (586-6050)

SB2857 SD1 (SSCR 2351)

RELATING TO PUBLIC ASSISTANCE. Senate President Mizuguchi (BR) (586-6870)

Amends provision relating to recovery of payments and costs of medical assistance. Provides that if the department of human services prosecutes its own claims, intervenes or joins in any action, or actively participates with a claimant or a claimant's attorney in the prosecution of claims, then, in addition to any reimbursement rights, claims, or liens, the department shall also be entitled to recover its attorney's fees and costs. -- SB2857 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to HSH then JHA then FIN (586-6050)

SB2858 SD1 (SSCR 2766)

MAKING AN EMERGENCY APPROPRIATION FOR THE STATE MEDICAL ASSISTANCE PROGRAM. Senate President Mizuguchi (BR) (586-6870)

Appropriation to the department of human services for health care payments for aged, blind and disabled medicaid recipients. (\$\$) -- SB2858 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Single Referral to FIN (586-6200)

SB2859 SD1 (SSCR 2686)

RELATING TO PUBLIC EMPLOYMENT. Senate President Mizuguchi (BR) (586-6870)

Repeals the authority of the director of human resources development to adopt rules as exercised by the civil service commission. Provides that the civil service commission shall be within the jurisdiction of the department of human resources development relating to classification, reclassification, recruitment, examination, and initial pricing. Establishes a special fund which consist of 2 separate accounts. Provides that the entrepreneurial and the in service training accounts shall be used to employ necessary personnel or for other purposes in

## SENATE BILLS WHICH PASSED THIRD READING

support of departmental entrepreneurial initiatives and programs; and for developing and operating in service training programs and activities, respectively. Annually report to the governor and the legislature. -- Establishes classification provision. Requires each director to establish, implement, and maintain 1 or more classification systems covering all civil service positions, not otherwise exempted by rules. Requires the system to be constructed with the objective of achieving equal pay for equal work within the jurisdiction. Requires the director to establish rules that allow for review and appeal of classification and initial pricing actions. Requires each jurisdiction to establish and maintain a separately administered civil service system based on the merit principle. Changes provisions relating to agreement of state, county departments, judiciary, and the Hawaii health systems corporation to agreements of the jurisdictions. Defines director to mean the head of the central personnel agency for a jurisdiction regardless of title, whether it is the director of human resources development, director of personnel, director of personnel service, or personnel director. Amends specific duties and power of the director by requiring the director to monitor, make recommendation, and develop policies and guidelines for suitable in service training programs and activities; make recommendations for incentive and service awards programs to recognize loyees who contribute to the efficiency, economy, or other improvement of government operations; ensure that collective bargaining agreements do not violate the merit principle or the principle of equal pay for equal work within the jurisdiction and do not interfere with the employer's rights and obligations; make recommendations and advise the chief executive on appropriate adjustments for employees excluded from collective bargaining. Requires the director to seek continuous improvements to streamline the recruitment process so that positions are filled in the most economic, efficient, and expeditious manner possible, including maximizing use of new technologies and developing more efficient alternatives to ensure the availability of qualified applicant pools whether it involves a change in the manner in which initial appointments are to be made, increased delegation to the departments, or decentralization to appointing authorities, as necessary and appropriate. -- Repeals the provision relating to probationary service and other requirements for membership. -- Adds the requirements for membership in civil service provision. Provides criteria. -- Amends provision relating to layoff by providing that when it is necessary to release employees from their positions due to lack of work, lack of funds, or other legitimate reasons, employees with permanent appointments in civil service positions shall have the layoff rights in accordance with the procedures provided in rules or as may be negotiated under collective bargaining agreements, as applicable. -- Allows any employee who is suspended, dismissed, or demoted to appeal through the grievance procedure as applicable. -- Repeals the uniform interpretation; uniform administration; recruitment flexibility for the counties, the judiciary, and the Hawaii health systems corporation; bars to discrimination, exceptions; public employment program personnel; older Americans program personnel; employees of the judiciary; judiciary, power and duties; civil sericiary; promotional examinations; open competitive examinations; noncompetition examinations; filing vacancy; unskilled labor, separate eligible and registration lists; reemployment and recall lists; reemployment of retirees for service connected disability; provisional and short term appointments; educational and certain other leaves; sabbatical leave; intragovernmental transfers; intergovernmental exchange or movements; exchanges with states; use of official class titles; performance ratings; grievance procedures; racial, sex, age, religious, color, ancestry, marital status, or political consideration barred; suspension; dismissals, demotions; certification of payrolls; status of employees of activities acquired by State or county; membership of civil service; annual report; department of civil service; commission, appointment, removal; expenses; meeting, quorum; personnel director; deputy director; provisions of part II applicable; additional duties of county director; director, employees'

## SENATE BILLS WHICH PASSED THIRD READING

retirement system representative; prohibited activities; employee organizations, veteran's preference, other rights; and Hawaii health system corporation provisions. -- Establishes provision relating to drug free workforce. Requires each director to identify all safety sensitive positions within the director's jurisdiction, and to be required to undergo mandatory random controlled substance testing. Amends salary withheld for indebtedness to the government provision by adding the salary or wage overpayment. Requires the comptroller or other disbursing officer of a jurisdiction to establish payroll overpayment procedures for the expeditious recovery of the salary or wage overpayment; establish salary offset repayment schedule that may vary according to the overpayment amount or other appropriate criteria; establish a method for the crediting of interest on any moneys paid or recovered that are in excess of the correct overpayment amount. -- Repeals the arrest record; private employment or practice prohibitemployees during absence abroad; traveling expenses of state officials; payment of traveling expenses from special funds, prohibited when; payment of salaries or wages upon terminations of service; safety equipment; uniform of institution employee, reimbursement for damage; applicability of chapter to the judiciary and the Hawaii health systems corporation; establishment; and responsible agency, rules provisions. -- Establishes the jurisdictional flexibility, subunits and employers established for negotiations provision to provide greater flexibility in negotiations to address jurisdictional needs and concerns. Provides criteria. -- Establishes contracts for service provision. Allows any jurisdiction to contract with the office of collective bargaining and managed competition or with another jurisdiction, for the provision of all or a portion of the services necessary. -- Requires the Hawaii labor relations board to serve in the public's best interest to ensure that collective bargaining is conducted in accordance with the merit principle and the principle of equal pay for equal work within a jurisdiction are maintained. Amends provision relating written agreements, appropriations for approval, implementation and enforcement by changing it to provisions relating to written agreements, approval and implementation. Provides that collective bargaining agreements shall be subject to the ratification by the employees concerned, except when the agreement is reached pursuant to an arbitration decision. Further provides that all provisions in the agreement that are in conformance with this provision, including a grievance procedure and an impasse procedure shall be valid and enforceable, except for any cost items that were not approved by the appropriate legislative body. -- Amends resolution of disputes, grievance, impasses provision. Provides that an impasses during the term of a collective bargaining agreement on reopened items shall not be subject to the impasses procedures in this provision. All to voluntarily agree to an impasses procedure for reopened items, if the procedure culminates in an arbitration decision. -- Changes the office of collective bargaining to office of collective bargaining and managed competition in the office of governor. Adds that the office shall assist the governor in implementation and review of the managed process of public private competition for particular government services, and negotiations between the State and the exclusive representatives on matters of wages, hours, and other negotiable terms and conditions of employment. Requires the governor to appoint the chief negotiator with the advice and consent of the senate, and appoint deputy negotiators to assist the chief negotiator. Prohibits employees of the office of collective bargaining and managed competition to be included in the civil service, any civil service classification system, or any appropriate bargaining unit. Amends adjustments authorized, limitations and restrictions provision by allowing each appropriate authority to make adjustments for their respective excluded employees subject to the guidelines and limitations. Provides criteria. Requires each appropriate authority to determine the adjustments that are relevant for their respective excluded from civil service employees in consideration of the compensation and benefit packages provided for other employees within the jurisdiction. Establishes the

## SENATE BILLS WHICH PASSED THIRD READING

voluntary severance benefit. Provides that any employee who is entitled to reduction in force rights shall be eligible to receive a voluntary severance benefit paid by the terminated employee's department. Provides that the benefit shall not exceed 50 per cent of the employee's annual base salary. Prohibits the benefit to be considered as a part of a terminated employee's salary, service credit, or a collectively bargainable cost item when calculating retirement benefits or sick and vacation leave. Prohibits employee who has received a voluntary benefit to be reemployed by the State of receiving the voluntary severance benefit unless the gross amount of the voluntary severance benefit is returned by the employee to the appropriate fund prior to the commencement of reemployment. Requires the heads of all affected state departments to transmit a list and certify that the employees on the list whose positions are eliminated and selected and received the voluntary severance benefit to the board of trustees of the employees' retirement system. Establishes early retirement incentive provision. Allows any employee who receives official notice of a reduction in force from an appointing authority that the employee's position is specifically eliminated or eliminated as a result of a workforce reduction plan proposed by the department to elect, if the employee is a vested member of the employees' retirement system and meets the specified criteria, the early retirement incentive. Provides that the early retirement incentive shall be in lieu of the voluntary severance benefit and any reduction in force rights the employee may be entitled to under a collective bargaining agreement or rules. Provides criteria for requirements. Requires the board of trustees of the employees' retirement system to determine the portion of the additional actual present value of benefits to be charged to the State or participating county, based on retirements under the early retirement incentive program. Prohibits the voluntary severance benefit to payable to a state employee terminated for disciplinary reasons or reasons other than a reduction in state government workforce. Requires each state department to forward a report on the positions affected to the directors of finance and human resources development who shall then abolish the vacated positions from the appropriate budget and personnel data files. Requires the department of human resources development and the department of budget and finance for the State and the respective county directors of personnel and finance for the participating counties to facilitate the implementation of the voluntary severance benefit and the early retirement incentive. Requires the department of human resources development, in cooperation with the employees' retirement system, to provide briefings prior to the implementation of any strategic workforce reduction plan to educate those employees whose positions are being eliminated. Requires the governor and respective mayors to annually report to the legislature. Establishes provision relating to school personnel, other than teachers and educational officers engaged in instructional work. Establishes provision relating to personnel of the public library system. Amends the duties of the board of education. Requires the board of education to care for, manage, and control all property set apart, donated, loaned to, or in any manner acquired for the use of libraries. Repeals the compensation; leaves of absence; hours of work; in service training programs; incentive and service awards; temporary intergovernmental assignment of public employees; noncertificated personnel; educational assistants, cafeteria managers; cafeteria workers; houseparents, statewide center for students with hearing and visual impairments; and classification schedule. Appropriation to the department of human resources development to be paid into the special fund and for resource for employee assistance and counseling help (REACH) program. Appropriation to the employees' retirement system to process the early retirement incentives. (\$\$) -- SB2859 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Single Referral to LAB/ FIN/ (586-8450)

## SENATE BILLS WHICH PASSED THIRD READING

- SB2863 SD1 (SSCR 2397) RELATING TO ADVANCE HEALTH-CARE DIRECTIVES. Senate President Mizuguchi (BR) (586-6870)  
Requires the examiner of drivers to design and implement a system to request advanced health care directive information from all applicants for driver's licenses. Also requires the department of the attorney general to do the same for applicants registering with the Hawaii criminal justice data center. -- SB2863 SD1  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to JHA then FIN (586-8480)
- SB2866 SD2 (SSCR 2658) RELATING TO PRESCRIPTION DRUGS. Senate President Mizuguchi (BR) (586-6870)  
Amends provisions relating to drugs limited to dispensing on prescription. Provides that medical oxygen shall be dispensed only by a medical oxygen distributor pursuant to a valid prescription or valid certificate of medical necessity. -- Allows a valid prescription to be communicated in writing, orally, by facsimile (fax), or by electronic transmission. -- Requires oral code numbers or designations to be issued by the department of public safety. -- Authorizes an out of state pharmacy to transfer prescription information for refilling purposes and an out of state medical oxygen distributor to transfer prescription information for the purposes of refilling a medical oxygen order. -- Defines medical oxygen to mean prescription drug oxygen. -- SB2866 SD2  
Mar-09 00 Introduction/Passed First Reading - House
- SB2867 RELATING TO USED OIL. Senate President Mizuguchi (BR) (586-6870)  
Amends provision relating to procedures for permits of used oil and used oil fuel. Authorizes the director of health to require a public notice or hearing, or both, for permit issuances, reissuances, or substantial modifications if the director determines that notice or hearing, or both are in the public interest. -- SB2867  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Single Referral to EEP (586-8435)
- SB2869 RELATING TO SAFE DRINKING WATER. Senate President Mizuguchi (BR) (586-6870)  
Amends provision relating to safe drinking water. Provides that any person in violation of this provision shall be administratively or civilly penalized per day for each violation, rather than penalized per day of violation. -- SB2869  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to JHA then FIN (586-8480)
- SB2870 SD1 (SSCR 2682) RELATING TO SAFE DRINKING WATER. Senate President Mizuguchi (BR) (586-6870)  
Changes mandatory certification of operating personnel in water treatment plants to mandatory certification of public water system operators. Provides that all classified distribution systems whether publicly or privately owned, used or intended for use by the public or private persons, shall at all times be under the direct supervision of a certified individual. -- SB2870 SD1  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to EEP then JHA/ CPC/ then FIN (586-8435)
- SB2872 SD1 (SSCR 2718) MAKING AN EMERGENCY APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION. Senate President Mizuguchi (BR) (586-6870)  
Appropriation to the Hawaii health systems corporation for retroactive and current fiscal year collective bargaining increase payments. (\$\$) -- SB2872 SD1  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Single Referral to FIN (586-6200)

## SENATE BILLS WHICH PASSED THIRD READING

SB2873 SD1 (SSCR 2132)

RELATING TO HAWAII HEALTH SYSTEMS CORPORATION. Senate President Mizuguchi (BR) (586-6870)

Allows the department of budget and finance, through its director, to guaranty payment of principal of and interest on bonds issued by Hawaii health systems corporation. -- Amends provisions relating to the duties and powers of the Hawaii health systems corporation by prohibiting the corporation to dispose of all or substantially all of its property. -- SB2873 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to HLT then FIN (586-6380)

SB2877 SD1 (SSCR 2773)

RELATING TO CHILD AND ADOLESCENT MENTAL HEALTH. Senate President Mizuguchi (BR) (586-6870)

Appropriation to the department of health, out of the general revenue, the child and adolescent mental health fund, and the behavioral health administration special fund, for support of services provided to certain emotionally disturbed children and adolescents. Requires a minimum of 10 per cent of the funds to be used for any new treatment or service programs for conducting process and outcome evaluations of these programs and further requires that these evaluations be conducted by an independent evaluator. Reports to the legislature and the auditor. Requires the auditor to monitor the conduct of these evaluations and report to the legislature or the department of health, or both. (\$\$) -- SB2877 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Single Referral to FIN (586-6200)

SB2879 SD2 (SSCR 2713)

RELATING TO MOTOR VEHICLE TIRES. Senate President Mizuguchi (BR) (586-6870)

Requires all facilities that accept used tires, including but not limited to tire retailers, wholesalers, transporters, collectors, and recyclers to maintain records for a minimum of 3 years. Provides that the records shall be annually submitted to the department of health regarding the listing of the total quantity of used tires collected, and the ultimate disposition of the used tires. -- Requires all retailers and wholesalers of new tires to maintain inventory records that indicate the number of new tires sold to consumers for a minimum of 3 years. -- Establishes a motor vehicle tire surcharge of 1 dollar per tire imported and to be paid by the person or entity who imports the motor vehicle tire sold to the consumer, including tires imported on motor vehicles, effective September 30, 2000 and before to January 1, 2006 (sunset). Provides that the surcharge shall be deposited into a special account in the environmental management special fund to support permitting, monitoring, and enforcement activities, including personnel costs regarding used tire management, collection, recycling and disposal facilities; promote improved market development and reuse opportunities for recovered motor vehicle tires; promote tire recovery, recycling and reuse through education, research, and demonstration projects; implement the surcharge program; and support programs to prevent illegal dumping. -- Provides that any costs incurred and payable from the fund as a result of tire cleanups and associated environmental assessments and remediation, shall be recovered by the attorney general, upon request by the department, from the liable person. -- SB2879 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2880 SD2 (SSCR 2767)

RELATING TO THE ENVIRONMENTAL RESPONSE REVOLVING FUND.

Senate President Mizuguchi (BR) (586-6870)

Amends provision relating to the environmental response revolving fund to allow the fund to be used to support environmental protection and natural resource protection programs, including energy conservation and alternative energy development and to address concerns related to air quality, global warming, clean water, polluted runoff, solid and hazardous waste. -- SB2880 SD2



## SENATE BILLS WHICH PASSED THIRD READING

Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to EEP then FIN (586-8435)

SB2883 SD2 (SSCR 2482)

MAKING AN EMERGENCY APPROPRIATION FOR THE STATE'S MEDICAID HOME AND COMMUNITY BASED SERVICES FOR THE DEVELOPMENTALLY DISABLED OR MENTALLY RETARDED PROGRAM. Senate President Mizuguchi (BR) (586-6870)

Appropriation to the department of health for the medicaid home and community based services developmental disabilities / mental retardation program. Requires matching federal funds for 51.01 per cent of the program. Appropriation to the department of human services to increase the federal match funds for the state medicaid home and community based services developmentally disabled / mental retardation program and to increase the interdepartmental transfer funds for the state medicaid home and community based services developmental disabilities / mental retardation program. (\$\$) -- SB2883 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2885

RELATING TO SANITATION. Senate President Mizuguchi (BR) (586-6870)  
Repeals provisions relating to approval of location and sanitary conditions of businesses; and dwellings and lodging houses of the nuisances and sanitary regulations Act. -- SB2885

Feb-18 00 Introduction/Passed First Reading - House

Feb-18 00 Single Referral to EEP (586-8435)

SB2892

RELATING TO THE CORRECTION OF THE APPLICABLE FISCAL YEAR FOR THE APPROPRIATION TO BE EXPENDED BY THE DEPARTMENT OF HEALTH IN SECTION 6 OF ACT 304, SESSION LAWS OF HAWAII 1999.

Senate President Mizuguchi (BR) (586-6870)

Amends Act 304, session laws of 1999 by changing the fiscal year for the appropriation to be 1999 - 2000, rather than 1999 - 2001. -- SB2892

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Single Referral to FIN (586-6200)

SB2893 SD1 (SSCR 2719)

RELATING TO MINIMUM WAGE. Senate President Mizuguchi (BR) (586-6870)

Establishes provision relating to service charge. Provides that any hotel or restaurant applying a service charge for the sale of food or beverage services shall distribute the service charge to its employees or else clearly disclose to the purchaser of such services that the service charge is being used to pay for costs or expenses other than wages and tips of employees. -- Amends provisions relating to the wage and hour law. Requires every employer to pay each employee at the rate no less than 5.50 dollars per hour beginning January 1, 2001, 5.75 dollars per hour beginning January 1, 2002, and no less than 40 cents below the applicable minimum wage for a tipped employee beginning July 1, 2001. -- SB2893 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to LAB/ EDB/ then FIN (586-8450)

SB2903

RELATING TO THE STATE FIRE COUNCIL. Senate President Mizuguchi (BR) (586-6870)

Amends provision relating to right of entry for inspection; unlawful to obstruct to include that designees of the county fire chief have the right of entry. Requires the county fire chief or the chief's designees to make an inspection of all state owned or county owned buildings and facilities, and shall make a report to the authorities responsible for the maintenance of any state owned or county owned building or facility when its found that a building or facility does not meet minimum standards of fire and safety protection. -- SB2903

## SENATE BILLS WHICH PASSED THIRD READING

Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Single Referral to LAB (586-8450)

SB2904 RELATING TO THE STATE FIRE COUNCIL. Senate President Mizuguchi (BR) (586-6870)  
Amends provision relating to composition and functions of the state fire council by allowing the state fire council to coordinate statewide training, data collection, and contingency planning needs for firefighters. Provides that representatives of the county fire departments be included in prospective members for the advisory committee to assist in carrying out functions of the state fire council. -- SB2904  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Single Referral to LAB (586-8450)

SB2905 RELATING TO EMPLOYMENT SECURITY. Senate President Mizuguchi (BR) (586-6870)  
Changes the sunset date for the assessment for the employment and training fund from December 31, 2000 to December 31, 2005. -- SB2905  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to LAB/ EDB/ then FIN (586-8450)

SB2906 RELATING TO GARMENT INDUSTRY HOMEWORK. Senate President Mizuguchi (BR) (586-6870)  
Repeals the garment industry homework Act. -- SB2906  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to EDB then CPC (586-6530)

SB2909 SD1 (SSCR 2710) RELATING TO STATE PARKS. Senate President Mizuguchi (BR) (586-6870)  
Establishes state parks special fund within the state treasury. Requires all proceeds collected by the state parks programs involving park user fees, any leases or concession agreements, the sale of any article purchased from the department of land and natural resources to benefit the state parks programs, or any gifts or contributions to be deposited into this fund. Provides that proceeds derived from operation of Iolani palace shall be used to supplement its educational and interpretive programs. Repeals the aina hoomalu special fund. Authorizes the director of finance to transfer the unexpended balance, including encumbrances and accrued liabilities of the aina hoomalu special fund on June 30, 2000 to the credit of the state parks special fund. Appropriation to the department of land and natural resources for the purposes of the state parks special fund. (\$\$) -- SB2909 SD1  
Mar-09 00 Introduction/Passed First Reading - House

SB2910 SD1 (SSCR 2771) RELATING TO THE COMMERCIAL FISHERIES SPECIAL FUND. Senate President Mizuguchi (BR) (586-6870)  
Establishes commercial fisheries special fund provision. Provides that the commercial fisheries special fund shall be administered by the department of land and natural resources and shall be used for programs and activities for projects concerning conservation and management of aquatic life used for commercial purposes; developing and conducting resource monitoring programs; payroll for personnel of the department or awarding of grants in aid to or contracts with the university of Hawaii or other qualified organizations or individuals to develop or implement the programs and activities for conservation and management of aquatic life for commercial purpose. Prohibits the proceeds of the fund to be used as security for, or pledged to the payment of principal or interest on, any bonds or instruments of indebtedness. Repeals Act 220, session laws of 1996 (sunset). Requires the director of finance to transfer the unexpended balance as of June 30, 2000 to the credit of the commercial fisheries special fund. Appropriation. (\$\$) -- SB2910 SD1

## SENATE BILLS WHICH PASSED THIRD READING

Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to OMR then FIN (586-6170)

SB2911

RELATING TO THE BOATING SPECIAL FUND. Senate President Mizuguchi (BR) (586-6870)

Establishes provision relating to transfer from boating special fund. Allows the director of finance to deduct 5 per cent of all receipts and deposits in the boating special fund after subtracting therefrom any amounts pledged, charged, or encumbered for the payment of bonds or interest thereon during the time period for which the deduction is to be made for the purpose of defraying the prorated estimate of central service expenses of government in relation to the boating special fund. Provides that the deduction shall be transferred to the general fund of the State and shall become general realizations of the State. Requires the chairperson of the board of land and natural resources to cooperate with the director of finance in effecting the transfer. -- SB2911

Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to OMR then FIN (586-6170)

SB2914 SD1 (SSCR 2125)

RELATING TO THE SPECIAL FUNDS OF THE LAND DIVISION. Senate President Mizuguchi (BR) (586-6870)

Amends provision relating to the special land and development fund. Requires the moneys collected from lessees of public land within industrial parks to be set apart in the fund and to be used only as authorizes by the legislature. Authorizes the use of the special land and development of fund for the payment of debt service on revenue bonds issued by the department of land and natural resources and to reimburse the general fund for debt service on general obligation bonds issued to finance departmental projects. Repeals the industrial park special fund. Requires the director of finance to transfer the unexpended fund balance, including encumbrances and accrued liabilities to the special land and development fund at the close of business on June 30, 2000. Appropriation to the department of land and natural resources. (\$\$) -- SB2914 SD1

Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to WLU then FIN (586-6110)

SB2915 SD1 (SSCR 2126)

RELATING TO THE SPECIAL LAND AND DEVELOPMENT FUND. Senate President Mizuguchi (BR) (586-6870)

Amends provision relating to special land and development fund. Requires moneys collected for mineral and water rights to be deposited into the special land and development fund. Authorizes the use of the special land and development fund for the protection, planning, management, and regulation of water resources under state water code provision. -- SB2915 SD1

Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to WLU then FIN (586-6110)

SB2917 SD2 (SSCR 2598)

RELATING TO THE WATER RESOURCE MANAGEMENT FUND. Senate President Mizuguchi (BR) (586-6870)

Establishes provision relating water resource management fund. Provides the fund shall be administered by the commission of water resource management and shall be used for monitoring programs and activities concerning water resource quality, protection, and management; research programs and activities concerning water conservation and investigation of alternative sources of water; preparation and dissemination of information to the public concerning authorized activities; data collection, development, and updating of long range planning documents; and other protection, operational or maintenance functions authorized and deemed necessary by the commission, including permanent or temporary staff positions. Requires all moneys collected to be deposited into the water management fund subject to the pro rata revenue requirements of Hawaiian homes commission Act. Provides criteria. Appropriation out of the

## SENATE BILLS WHICH PASSED THIRD READING

water resource management fund to the department of land and natural resources. (\$\$) -- SB2917 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2918 SD2 (SSCR 2626)

RELATING TO HUNTING LICENSES. Senate President Mizuguchi (BR) (586-6870)

Establishes provision relating to applications and issuance of hunting licenses; paternity and child support. Authorizes the department of land and natural resources to suspend, refuse to renew, reinstate, or deny any hunting license if the department has received certification from the child support enforcement agency that the licensee or applicant is not in compliance with an order of support or has failed to comply with a subpoena or warrant relating to a paternity or child support proceeding. Requires the department to issue, renew, restore, or reinstate such a license only upon receipt of an authorization from the child support agency, the office of child support hearings, or the family court. Amends rules provision by requiring the department of land and natural resources to adopt, amend, and repeal rules to carry out other purposes of this provision. Requires applicants for a hunting license to disclose if they are prohibited from using firearms. Increases nonresident hunting license fees. Repeals the application and issuance of licenses and fees provision on the effective date of administrative rules of department (sunset). -- SB2918 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2924 SD1 (SSCR 2460)

RELATING TO OPEN MEETINGS. Senate President Mizuguchi (BR) (586-6870)

Amends provision relating to meeting by videoconference; notice; quorum. Requires the board meeting notices to specify that the public may attend the videoconference meetings at any of the specified locations. Repeals the requirement for the board to adopt rules regarding videoconference meetings. -- SB2924 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2925

RELATING TO THE FUEL TAX. Senate President Mizuguchi (BR) (586-6870)

Amends fuel tax provisions by repealing the requirement that each distributor report the total number of gallons of fuel imported by the distributor or person and sold or used by the distributor or person and if for ultimate use in another county or on either island, the name of that county or island. -- SB2925

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to EDB then FIN (586-6530)

SB2927 SD1 (SSCR 2445)

RELATING TO CHAPTER 92F, UNIFORM INFORMATION PRACTICES ACT (MODIFIED). Senate President Mizuguchi (BR) (586-6870)

Amends access to personal record; initial procedure provision. Provides that an agency shall permit the individual to review the individual's personal record and have a copy made within 10 working days following the date of receipt of the request by the agency rather than the date of request. -- SB2927 SD1

Mar-07 00 Introduction/Passed First Reading - House

Mar-07 00 Single Referral to JHA (586-8480)

SB2930 SD2 (SSCR 2631)

RELATING TO CONTROLLED SUBSTANCES. Senate President Mizuguchi (BR) (586-6870)

Amends the uniform controlled substance Act relating to schedule II by adding oxycodone and repeals dronabinol under hallucinogenic substances. -- Amends schedule III by adding hallucinogenic substances including dronabinol. -- Amends schedule IV by repealing dextropropoxyphene and adding narcotic drugs. -- Provides that it shall be unlawful for any person knowingly or intentionally to obtain or attempt to obtain any controlled substance or procure or attempt to procure the administration of any controlled substance. -- Provides

## SENATE BILLS WHICH PASSED THIRD READING

that the director of public safety or the director's designate may retain books, papers, documents, or objects for 48 hours to examine, audit, copy, test, or photograph. -- SB2930 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2931 SD1 (SSCR 2632)

RELATING TO CONTROLLED SUBSTANCES. Senate President Mizuguchi (BR) (586-6870)

Amends schedule I of the uniform controlled substances Act relating to opiates. -- SB2931 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2933

RELATING TO CRIME VICTIM COMPENSATION COMMISSION. Senate President Mizuguchi (BR) (586-6870)

Requires the crime victims compensation commission to appoint an executive director and an administrative assistant for proper administration and enforcement of the law, exempt from civil service and compensation provisions.

-- SB2933

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to PSM then FIN (586-8490)

SB2935 SD1 (SSCR 2461)

RELATING TO DANGEROUS DRUGS. Senate President Mizuguchi (BR) (586-6870)

Amends provisions relating to promoting a dangerous drug in the 2nd and 3rd degrees. Provides that any person who is convicted under these provisions shall be required to participate in an appropriate drug treatment or education program. -- SB2935 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2938 SD1 (SSCR 2224)

RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE. Senate President Mizuguchi (BR) (586-6870)

Revisions conforming to the Federal Internal Revenue Code for taxable years beginning after December 31, 1999. -- SB2938 SD1

Mar-01 00 Introduction/Passed First Reading - House

Mar-02 00 Single Referral to FIN (586-6200)

SB2939 SD1 (SSCR 2435)

RELATING TO THE INTEGRATED TAX INFORMATION MANAGEMENT SYSTEMS ACQUISITION BY THE DEPARTMENT OF TAXATION. Senate President Mizuguchi (BR) (586-6870)

Amends Act 155, session laws of Hawaii 1999, by amending the amount appropriated out of the integrated tax information management systems special fund to provide appropriations to the department of taxation for the integrated tax information management system. (\$\$) -- SB2939 SD1

Mar-07 00 Introduction/Passed First Reading - House

Mar-07 00 Single Referral to FIN (586-6200)

SB2940 SD1 (SSCR 2225)

RELATING TO THE DEPARTMENT OF TAXATION. Senate President Mizuguchi (BR) (586-6870)

Establishes that the department of taxation shall pay to a financial institution that is served a subpoena, a fee for reimbursement of such cost as are necessary and which have been directly incurred in searching for, reproducing, or transporting books, papers, documents, or other objects designated by the subpoena. -- SB2940 SD1

Mar-01 00 Introduction/Passed First Reading - House

Mar-02 00 Single Referral to FIN (586-6200)

SB2941

PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 3, OF THE STATE CONSTITUTION TO PROVIDE FOR THE APPOINTMENT OF A TAX REVIEW COMMISSION EVERY TEN YEARS. Senate President Mizuguchi

## SENATE BILLS WHICH PASSED THIRD READING

(BR) (586-6870)

Proposes to amend the constitution. Changes the tax review commission to be appointed every 10 years instead of every 5 years. -- SB2941

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to JHA then FIN (586-8480)

SB2942

RELATING TO THE GENERAL FUND EXPENDITURE CEILING REPORTING DATES. Senate President Mizuguchi (BR) (586-6870)

Amends provisions relating to the duties of the director of finance by changing the dates on which the director of finance shall determine preliminary and final estimate of the state growth and expenditure ceiling to August 15 and November 15 of each year, respectively. Requires the council on revenues to report its estimates of total state personal income to the director of finance, the governor, the chief justice, and the legislature to each August 5th and November 5th rather than July 20 and October 20 of each year. -- SB2942

Mar-01 00 Introduction/Passed First Reading - House

Mar-02 00 Single Referral to FIN (586-6200)

SB2945 SD1 (SSCR 2746)

RELATING TO TAXATION. Senate President Mizuguchi (BR) (586-6870)

Amends the general excise law by amending sales of services to a licensed seller and adding sales of amusements. -- Amends use tax provisions to include contracting and the use of debit card, credit card, merchant card, draft, or trust administration services imported or purchased by a bank. -- Establishes a public service company tax of 5.5 per cent in calendar year 2000, on a public utility engaged in the business of selling telecommunication services to a person who resells such products or services and upon the portion of the gross income of a motor carrier or contract carrier which consists of the receipts from the sale of its products or services to a person and reduces it .5 per cent a year to .5 per cent in the calendar year 2007. -- Establishes a public service company tax of 3.5 per cent in calendar year 2000, on a motor carrier or contract carrier which consists of the receipts from the sale of its products or services to a freight forwarder and reduces it .5 per cent a year to .5 per cent in the calendar year 2006.-- SB2945 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to EDB then CPC then FIN (586-6530)

SB2946 SD1 (SSCR 2436)

RELATING TO TAXATION APPEALS. Senate President Mizuguchi (BR) (586-6870)

Amends tax appeals, income tax, general excise tax, transient accommodations tax, use tax, fuel tax, liquor tax, cigarette and tobacco tax, conveyance tax, and rented motor vehicle and tour vehicle surcharge tax provisions to provide that the respective tax be paid for appeals other than to the district board of review. -- SB2946 SD1

Mar-07 00 Introduction/Passed First Reading - House

Mar-07 00 Single Referral to FIN (586-6200)

SB2947

RELATING TO DISCLOSURE OF TAX INFORMATION. Senate President Mizuguchi (BR) (586-6870)

Amends general excise tax provisions by adding that a person with a material interest in the return, return information, or report includes a person contractually obligated to pay the taxes assessed against another when the latter person is under audit by the department of taxation. Amends the use tax law to apply general excise tax provisions relating to filing of returns and disclosure of returns unlawful. -- SB2947

Mar-07 00 Introduction/Passed First Reading - House

Mar-07 00 Single Referral to FIN (586-6200)

SB2948 SD1 (SSCR 2042)

RELATING TO HIGH TECHNOLOGY. Senate President Mizuguchi (BR)

## SENATE BILLS WHICH PASSED THIRD READING

(586-6870)

Provides that section 704 of the Federal Internal Revenue Code (with respect to a partner's distributive share) shall be operative for income tax purposes except that it shall not apply to allocations of high technology business investment tax credit. -- Amends the income tax exclusion of royalties and other income from high technology businesses to include trade secrets. Also amends the exemption of stock options from qualified high technology businesses, and the high technology business investment income tax to define computer data and computer program. -- Amends the income tax credit for increasing research activities to provide that section 41 of the Federal Internal Revenue code shall remain in effect until January 1, 2006 (sunset), even if it is repealed or terminated. -- SB2948 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to EDB/ HED/ then FIN (586-6530)

SB2953 SD1 (SSCR 2651)

RELATING TO CONTROL OF VENDING. Senate President Mizuguchi (BR) (586-6870)

Amends the prohibition of vending from state highways by repealing the designation of state. Also adds acts in a reckless disregard of the risk of creating a hazardous condition or public nuisance. Defines highway to mean the entire width, including the beam and shoulder of a public highway. -- SB2953 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2955

RELATING TO HIGHWAY SAFETY. Senate President Mizuguchi (BR) (586-6870)

Requires the director of transportation to adopt rules dealing with road use restrictions. Increases the penalty for violating rules governing the use of traffic control devices at work sites. -- SB2955

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to TRN then JHA (586-6180)

SB2961 SD2 (SSCR 2566)

RELATING TO THE RELIEF OF CERTAIN PERSONS' CLAIMS AGAINST THE UNIVERSITY OF HAWAII AND PROVIDING APPROPRIATIONS THEREFOR.

Senate President Mizuguchi (BR) (586-6870)

Appropriation for the purpose of satisfying claims for legislative relief to persons, firms, corporations, and entities which have claims against the university of Hawaii due to payments of judgments or settlements, or other liabilities. (\$\$) -- SB2961 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2964

RELATING TO THE UNIVERSITY OF HAWAII. Senate President Mizuguchi (BR) (586-6870)

Amends the university of Hawaii classification schedule provision to repeal conformance to schedules set in public employee compensation laws and provide that the system appropriately recognize the scope and subject matter of work, scope, and degree of responsibility, and qualification requirements. -- SB2964

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to HED then LAB/ FIN/ (586-6330)

SB2971

RELATING TO ENVIRONMENTAL IMPACT STATEMENTS. Senator Nakata (586-7330)

Redefines environmental impact statement to mean an informational document prepared in compliance with rules adopted and which discloses the environmental effects of a proposed action, effects of a proposed action on the economic welfare, social welfare, and cultural practices of the community and the state. -- Redefines significant effect to mean the sum of effects on the

## SENATE BILLS WHICH PASSED THIRD READING

quality of the environment, including actions that adversely affect the economic welfare, social welfare, or cultural practices of the community or state. -- SB2971

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to EEP then FIN (586-8435)

SB2974

RELATING TO SUBSTANCE ABUSE INSURANCE BENEFITS. Senator Chun Oakland (586-6130)

Amends mental health, alcohol, drug abuse treatment provisions by amending policy coverage provisions to provide that benefits for substance abuse shall cover adults and children and be under the same terms and conditions as coverage provided for other illnesses and diseases. Prohibits coverage to discriminate against any person with an alcohol or drug dependence. Amends prohibition that a health insurance plan shall not impose rates, terms, or conditions including service limits and financial requirements for serious mental illness benefits by replacing serious mental illness with substance abuse services. -- SB2974

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to HLT then CPC then FIN (586-6380)

SB2982 SD1 (SSCR 2634)

RELATING TO CHILD SUPPORT. Senator Matsunaga (586-7100)

Amends the law relating to child support liens. Provides that any lien, on the real and personal property of an obligor who is delinquent in payments, or who owes a public assistance debt shall take priority over any lien except a tax lien subsequently acquired or recorded, but only to the extent of the delinquent amounts owed as of the date that the subsequent lien is acquired or recorded; or previously acquired or recorded, that was subordinate to a child support lien at the date it was acquired or recorded, but only to the extent of the delinquent amounts owed as of the date it was acquired or recorded. -- SB2982 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB2983 SD2 (SSCR 2638)

RELATING TO LANDOWNERS' LIABILITY. Senator Hanabusa (586-7793)

Amends the landowners liability law by amending the definition of land. Provides that land means land, roads, water, water courses, private ways and buildings, structures, and machinery or equipment when attached to realty, other than land owned by the government or land that the owner holds open to the public for commercial purposes; provided that if the owner holds only part of a parcel of land open to the public for commercial purposes the remainder of the parcel shall not be considered to be held open to the public for commercial purposes. -- SB2983 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2986 SD1 (SSCR 2684)

RELATING TO CONDOMINIUMS. Senator Tam (586-6450)

Amends definition of apartment in the condominium and property regime law to mean a dwelling unit including a kitchen, bath, and bedroom or sleeping area with an exit to a public street or highway or to a common element or elements leading to a public street or highway, and may include such appurtenances as garage and other parking space, storage room, balcony, terrace, and patio. Provides that apartment shall not include any apartment intended for commercial use; and any apartment designed, constructed, or utilized as a hotel or resort which is located on any parcel of real property designated and governed by a county for hotel or resort use. -- SB2986 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Single Referral to CPC (586-6150)

SB2987 SD1 (SSCR 2708)

RELATING TO PUBLIC CONTRACTS. Senator Tam (586-6450)

Amends provisions relating to contract retainage to include subcontractors; penalties. Provides that where a subcontractor has provided evidence to the



## SENATE BILLS WHICH PASSED THIRD READING

contractor of current performance and has a payment bond acceptable to the contractor executed by a surety company authorized to do business in this State, or alternative means of security acceptable to the contractor, then the amount withheld by the contractor from its subcontractor shall be the same percentage of retainage as that on the contractor. Provides that this provision shall also apply to subcontractors who subcontract work to other subcontractors. Provides that this provision shall apply to all public works contracts entered into after June 30, 2000. -- SB2987 SD1  
Mar-09 00 Introduction/Passed First Reading - House

SB2988 SD2 (SSCR 2709)

RELATING TO PUBLIC CONTRACTS AND PROCUREMENT. Senator Tam (586-6450)

Amends provision relating to prompt payment to include penalty. Provides that where a subcontractor has provided a bond acceptable as prevailing industry practice to the contractor, and the contractor fails to pay in accordance with this provision, there shall be imposed a penalty of 1 and 1/2 per cent per month on the amounts outstanding due to the subcontractor. Further provides that the penalty may be withheld from any future payments due to the contractor. Provides that when a contractor is found in violation 3 or more times within 2 years of the 1st violation, the contractor's name shall be referred to the contractor license board by the procurement agency. -- Provides that this Act shall apply to all public contracts entered into after June 30, 2000. -- SB2988 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2990 SD2 (SSCR 2712)

RELATING TO THE RECYCLING OF BATTERIES. Senator Nakata (586-7330)

Requires lead acid battery retailers to post a written notice, collecting a 10 dollar surcharge for each new battery purchased by a customer not accompanied by an old battery for disposal. Provides that all surcharges collected shall go to the department of health and be deposited into the environmental management special fund. -- SB2990 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2993 SD2 (SSCR 2548)

RELATING TO THE ENVIRONMENT. Senator Kanno (586-6830)

Establishes the environmental health consumer advocate within the department of commerce and consumer affairs to provide information and assistance to, and represent, protect, and advance the interest of consumers on environmental health matters. Requires the director, with approval of the governor, to appoint an environmental health consumer advocate exempt from civil service and compensation provisions. Provides that there shall be a division of environmental health consumer advocacy within the department to provide administrative support to the advocate. Authorizes the advocate to conduct investigations to secure information useful in the lawful administration of this law; assist, advise, and cooperate with federal, state, and local agencies and officials to protect and promote interests of the consumer in environmental health matters; study the operation of laws affecting consumers in environmental health matters; organize and hold conferences; and represent the environmental health interests of consumers before any state or federal agency. -- Establishes an environmental protection hotline within the department of health to receive confidential reports and inquiries from the public about events that may adversely affect the state's environmental quality or ecology, as these events are taking place. Requires the department to conduct studies, research, and tests when legal levels of toxins are exceeded and in communities with water quality levels below the standards. -- Requires every builder of a new housing development of 10 or more residential homes built on former agricultural lands, prior to receiving zoning or other permitting approval, to test the site's soil, including soil transported to the site. Provides that the test

## SENATE BILLS WHICH PASSED THIRD READING

results shall be public and transmitted to the department of health and the advocate. -- Requires moneys from the environmental response revolving fund to support the advocate and the division of environmental health consumer advocacy. -- Requires the department to identify communities with a water supply that is poorer in quality than the average for the State and report to the legislature. -- Requires the department of health to convene a Campbell Industrial Park task force to study the number and severity of unplanned releases of toxic emissions and spills over the past 10 years; the role of the community in planning for growth at the Park; current ambient air quality standards and prevention of significant deteriorating increments; the process for notifying area residents of unplanned releases of toxic emissions; the need for hazardous material aboveground storage tank procedures and requirements; applicable insurance, industry trade association, or other standards regarding aboveground storage tanks; the role of the fire department in a tank inspection program; and the need for a requirement that facilities handling or dealing in chemicals, gasoline, wastes, and other potentially toxic substances file a spill prevention plan with the department of health. Interim and final reports to the legislature. Task force shall cease to exist on June 30, 2002 (sunset). Requires the department to propose legislation for consideration by the 2002 legislature that requires a percentage of moneys in all special funds related to the environment to be deposited into the environmental response revolving fund to defray the costs of the advocate and the division of environmental health consumer advocacy. -- Provides that the department shall conduct a follow up study on the Village Park and West Lock Fairways composite soil samplings that involves individual testing of homes to identify and measure toxins present in specific residences. Requires the department, with the assistance of citizens for a safe environment and life of the land to report to the legislature. Appropriation. (\$\$) -- SB2993 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB2996 SD2 (SSCR 2756)

RELATING TO JUVENILES. Senator M. Ige (586-9405)

Amends provision relating to minor law violators; proceedings and records not confidential. Provides that the family court shall provide reasonable access to all records open for public inspection to the department of education. Provides that upon written inquiry by the department of education, the family court shall provide the requested information within 10 working days from the date of the request. -- Requires the department of education to establish and maintain administrative, technical, and physical safeguards that are appropriate to protect the confidentiality, security, accuracy, and integrity of the information received or transmitted from the family court. Report to the legislature. Provides that this Act shall be repealed on June 20, 2003. -- SB2996 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB3002 SD2 (SSCR 2739)

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM. Senator Kanno (586-6830)

Amends provisions relating to public employees' retirement system. Establishes that a surviving spouse or reciprocal beneficiary whose benefits arose from their spouse's or reciprocal beneficiary's membership with the employees' retirement system, and whose pension or benefit was terminated by reason of remarriage or entry into a reciprocal beneficiary relationship occurring subsequent to the death of the member, may apply for reinstatement of the terminated pension or benefit. Provides that the level of reinstated pension or benefit payments shall be the amount received by the surviving spouse or reciprocal beneficiary on the date that the payment was terminated, adjusted to reflect ad hoc and scheduled increases from the date of termination to the date of reinstatement. Provides that payments shall not be terminated when a recipient police officer, firefighter, deputy sheriff, or public safety officer dies, and their surviving spouse or reciprocal beneficiary remarries or enters into a

## SENATE BILLS WHICH PASSED THIRD READING

reciprocal beneficiary relationship. Allows payments to be made to a surviving spouse or reciprocal beneficiary of a police officer, firefighter, deputy sheriff, or public safety officer, regardless of whether the surviving spouse or reciprocal beneficiary remarries, marries, or enters into a reciprocal beneficiary relationship before any child of the deceased member attains 18 years of age. Provides that in the case of the remarriage of any widow or reciprocal beneficiary of a deceased member of the band, where the widow or reciprocal beneficiary is entitled to the benefit, or in the event of any father or mother, brothers or sisters ceasing to be dependents then the payments to them shall cease. -- SB3002 SD2

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to LAB/ FIN/ then JHA (586-8450)

SB3003 SD1 (SSCR 2738)

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM. Senator Kanno (586-6830)

Amends public employees retirement system provision by redefining class A, class B, and class C contributory members covered by the Social Security Act. Provides criteria. Amends allowance on service retirement provision. Provides the allowance for the member's class C service shall be reduced by 1/2 per cent for each month the member is less than age 62 at retirement, unless the member retires after attaining age 55 but before age 62 and has at least 30 years of total credited service, except for a member who has class C service and becomes a class A or class B member after December 31, 2000. Allows any class C member in service on December 31, 2000 to elect to become a class A member effective January 1, 2001 by filing an election form with the board prior to January 1, 2001. -- SB3003 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Single Referral to LAB/ FIN/ (586-8450)

SB3019 SD1 (SSCR 2717)

MAKING AN APPROPRIATION FOR THE HEALTHY START PROGRAM. Senator Fukunaga (586-6890)

Appropriation to the department of health for the Healthy Start program. Requires matching funds by private sources, Medicaid, and other federal funding sources. (\$\$) -- SB3019 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to HLT then FIN (586-6380)

SB3023 SD1 (SSCR 2476)

RELATING TO CRIME. Senate President Mizuguchi (BR) (586-6870)

Amends provision relating to sentence of imprisonment for use of a firearm, semiautomatic firearm, automatic firearm in a felony. Provides that the mandatory minimum terms of imprisonment imposed under this provision shall be in addition to and not in lieu of any conviction and sentence for the felony of carrying or use of a firearm in the commission of a separate felony; provided that the sentence imposed under this provision may run concurrently or consecutively with a sentence for the felony of carrying or use of a firearm in the commission of a separate felony. -- SB3023 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB3026 SD1 (SSCR 2685)

RELATING TO SCHOOL FACILITIES. Senator Sakamoto (586-8585)

Establishes the state educational facilities repair and maintenance special fund to be used solely to eliminate the backlog of school repair and maintenance projects existing on June 30, 2000. Requires the department of accounting and general services with the assistance of the department of education to review the existing condition of school facilities and establish current repair and maintenance requirements and overall repair and maintenance priorities. Annual report to the legislature. Fund repealed on July 1, 2004 (sunset). -- Establishes the school physical plant operations and maintenance special fund used for school repairs and cyclical maintenance projects scheduled after June

## SENATE BILLS WHICH PASSED THIRD READING

30, 2000. Annual report to the legislature by the department of accounting and general services. Requires every new or renovated school to include a cyclical maintenance schedule prepared by the architect of the facility or the capital improvement project. -- Requires the comptroller to develop and implement a strategy for the efficient and effective use of government and private sector workforces to ensure that the State receives the best value for its money and to avoid the creation of shortages and surpluses in the marketplace by over purchasing in 1 segment and under purchasing in another segment of the marketplace. -- Establishes that the moneys in AGS807, physical plant operations and maintenance shall be allocated according to departmental school districts based on estimated cyclical and scheduled maintenance costs, budgeted recurring maintenance, health and safety requirements, and legal mandates. Requires the departments to prepare a 6 year program and financial plan submitted annually to the legislature. -- Requires the department of education to establish at least 1 permanent full time equivalent business and fiscal officer position in each school district. Allows the department to accept donated repair and maintenance services and materials. -- Allows the department of education to enter into agr federal Department of Defense to construct, repair, or renovate Hawaii public schools on military bases and elsewhere using federal funds. -- Increases the school level minor repairs and maintenance accounts to 25,000 dollars per school and requires the department to allocate funds based on the number of students at the school multiplied by a factor which recognizes the age and condition of the school. -- Requires each school repair and maintenance priority listing to be posted on the internet. Requires the school's principal and the department school district business and fiscal officer to consider the recommendations made by the school community based management council (SCBM) or the local school board and requires the principal to appoint a committee if there are none. Also requires the consideration of the availability of donated and discounted repair and maintenance services and materials. -- Provides that 45 million of the general excise tax revenues shall be deposited into the repair and maintenance fund and \_\_\_\_ million into the physical plant operations fund. Appropriations. (\$\$) -- SB3026 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to EDN then FIN (586-8470)

SB3031 SD1 (SSCR 2677)

RELATING TO HIGHWAYS. Senator Kawamoto (586-6970)

Establishes restrictions for the use of zipper lanes (zip). Provides that between 5 and 7 am 3 people must be in the vehicle, between 7 and 9 am 2 people must be in the vehicle, and during the hours when the zipper lane is in use, if an accident or emergency occurs, which is expected to take an hour or more to clear up then the zipper lane may be used for general use. Requires a police to call dispatch, who shall notify the department of transportation, which shall post the appropriate freeway signs and notify the media. Provides that between the hours of 7 to 8 am high occupancy vehicle lanes (HOV) on Interstate Route H-1 (H 1) may be occupied by any vehicle regardless of the number of people in the vehicle. Provides that this is a pilot project and that the department of transportation shall supervise, monitor, and compile daily statistics on the use of zipper lane. Report to the legislature. -- SB3031 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB3032 SD2 (SSCR 2618)

RELATING TO ECONOMIC DEVELOPMENT. Senator Kawamoto (586-6970)

Requires the director of business, economic development, and tourism to establish a center for Asian Pacific infrastructure development within the department; to enter into negotiations with private financial firms to secure resources to conduct infrastructure project development and finance seminars in Hawaii; enter into negotiations with the US Department of Commerce, Asian Development Bank, World Bank, and other agencies to fund and sustain such

## SENATE BILLS WHICH PASSED THIRD READING

seminars; execute contracts in furtherance of the purposes of this Act; and report to the legislature. Appropriation to the department of business, economic development, and tourism for the establishment of a center for Asia Pacific infrastructure development in Hawaii. Requires matching funds with federal, international agency, or private funds. (\$\$) -- SB3032 SD2  
Mar-09 00 Introduction/Passed First Reading - House

SB3038 SD1 (SSCR 2641)

RELATING TO EDUCATION. Senator D. Ige (586-6230)  
Amends the provision which provides that any child who is found to be in possession of a dangerous weapon, switchblade knife, intoxicating liquor or illicit drug while attending school may be excluded from school for up to 92 school days, by including selling or use of a dangerous weapon or switchblade or selling, consuming, or using intoxicating liquor or illicit drugs while attending school or while attending department supervised activities held on or off school property. -- SB3038 SD1  
Mar-09 00 Introduction/Passed First Reading - House

SB3041 SD1 (SSCR 2576)

RELATING TO OPTOMETRY. Senator Taniguchi (586-6460)  
Amends provision relating to therapeutically certified optometrists. Adds another member to the joint formulary advisory committee that shall be composed of 3 persons licensed as optometrists. -- SB3041 SD1  
Mar-09 00 Introduction/Passed First Reading - House

SB3043 SD2 (SSCR 2619)

RELATING TO THE STATE RISK MANAGEMENT AND INSURANCE ADMINISTRATION. Senator Taniguchi (586-6460)  
Amends the state risk management and insurance administration provision by adding the definition of captive insurance company to mean any pure captive insurance company, risk retention captive insurance company, association captive insurance company, or leased capital facility formed or licensed. Authorizes the state comptroller to establish a captive insurance company. Provides that the comptroller may obtain appropriate and sufficient reinsurance to cover the liability of a captive insurance company. -- SB3043 SD2  
Mar-09 00 Introduction/Passed First Reading - House

SB3045 SD1 (SSCR 2437)

RELATING TO THE AUDITOR. Senate President Mizuguchi (586-6870)  
Amends provision relating to confidentiality of legislative auditor to include working papers privilege. Provides that the legislative auditor shall not be required or compelled to disclose any working papers, or the contents thereof, in any form, to any judicial, quasijudicial, or administrative process or order. Provides that the auditor's working papers privilege does not cease upon issuance by the auditor of any audit report, study, or public document. Provides that the auditor's working papers privilege shall extend to all working papers collected by, reviewed by, or provided to the office of the auditor, its appointed officials, employees, consultants, and independent contractors in the course of their duties to investigate, audit, or produce reports. Authorizes the auditor's working papers privilege to be recognized pursuant to the Hawaii rules of evidence, the Hawaii rules of penal procedure, and the Hawaii rules of civil procedure. Provides that if the auditor is compelled by any legal process to disclose any working papers or their contents, the auditor, the office of auditor, and its appointed officials, employees, consultants, and independent contractors shall be released from any liability and all claims resulting from that disclosure. Further provides that the auditor's disclosure of certain working papers or their contents, in any form, shall not constitute a waiver of the privilege as to other working papers. -- SB3045 SD1  
Mar-07 00 Introduction/Passed First Reading - House  
Mar-07 00 Multiple Referral to LMG then JHA (586-6270)

SB3049

RELATING TO HISTORIC PRESERVATION. Senator Chun (586-7344)

## SENATE BILLS WHICH PASSED THIRD READING

- Provides that the department of land and natural resources records relating to the location and description of historic sites, including burial sites, if deemed sensitive by a council or the Hawaii historic places review board, shall be confidential. -- SB3049  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to WLU then JHA (586-6110)
- SB3051 SD2 (SSCR 2637) RELATING TO LIQUOR EXPORT. Senator Anderson (586-6840)  
Provides that the liquor laws shall not prohibit wines, spirits, and champagnes made in Hawaii, from being shipped out of State. -- SB3051 SD2  
Mar-09 00 Introduction/Passed First Reading - House
- SB3073 SD2 (SSCR 2755) RELATING TO IMPAIRED DRIVING. Senate President Mizuguchi (BR) (586-6870)  
Amends implied consent of a driver of a motor vehicle or moped to submit to testing to determine alcohol concentration and drug content provision. Provides that a preliminary alcohol screen shall not be a substitute for a breath, blood, or urine test. Provides that the analysis from a preliminary screen shall only be used in determining probable cause for the arrest. -- SB3073 SD2  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to TRN then JHA (586-6180)
- SB3079 RELATING TO CRIMINAL TRESPASS IN THE FIRST DEGREE. Senate President Mizuguchi (BR) (586-6870)  
Amends provision relating to criminal trespass in the 1st degree by removing the requirement that school authorities and police officers need to warn or request a person to leave the premises of any public or private school, if the person enters or remains unlawfully in or upon the premises of the school. -- SB3079  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to EDN then JHA (586-8470)
- SB3100 RELATING TO TEMPORARY INSTRUCTION PERMIT. Senate President Mizuguchi (BR) (586-6870)  
Increases the period that a person with a temporary instruction permit may drive a motor vehicle upon the highway from 180 days to 1 year. -- SB3100  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to TRN then JHA (586-6180)
- SB3102 RELATING TO DRIVER LICENSE RENEWAL BY MAIL. Senate President Mizuguchi (BR) (586-6870)  
Allows a motor vehicle driver's license to be renewable by mail once after appearing in person before the examiner of drivers. -- SB3102  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to TRN then JHA (586-6180)
- SB3104 SD2 (SSCR 2564) RELATING TO MOTOR VEHICLES. Senate President Mizuguchi (BR) (586-6870)  
Provides that monetary assessments received from the adjudicated and unadjudicated traffic crimes and infraction shall be distributed to the counties and used to fund the appropriations of the police departments in each county including salaries of the police department personnel. -- SB3104 SD2  
Mar-09 00 Introduction/Passed First Reading - House
- SB3117 RELATING TO MOTOR VEHICLES. Senate President Mizuguchi (BR) (586-6870)  
Allows any police officer whose responsibility is to conduct vehicle theft investigations to inspect the premises of a motor vehicle repair dealer required

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to be licensed. -- SB3117  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Single Referral to CPC/ JHA/ (586-6150)

SB3118 RELATING TO HAWAIIAN TERMINOLOGY. Senate President Mizuguchi (BR) (586-6870)  
Amends provision relating to Hawaiian terminology. Provides that in its roles as the local redevelopment authority for the redevelopment of the Kalaeloa community development district, the commission is required to use of Hawaiian names, terms, and phrases in the development guidance policies. -- SB3118  
Mar-02 00 Introduction/Passed First Reading - House  
Mar-07 00 Multiple Referral to WLU then JHA (586-6110)

SB3122 SD1 (SSCR 2100) RELATING TO NONCOMMERCIAL PIERS. Senator Nakata (BR) (586-7330)  
Establishes private residential noncommercial piers. Allows the board of land and natural resources to lease, by direct negotiation and without recourse to public auction, state submerged lands or lands beneath tidal waters for private residential noncommercial piers on such terms and conditions as may be prescribed by the board. Repeals restriction requiring leased public lands to have a sign on piers indicating the public's right to the use of the pier. Allows the board of land and natural resources to grant easement or lease of state submerged lands or lands beneath tidal waters used for moorings, cables or noncommercial piers without the approval of the governor and the legislature. Repeals the authority granted to the department of land natural resources to enter into lease agreements with owners of private residential noncommercial piers on June 30, 2005 (sunset). -- SB3122 SD1  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to OMR then FIN (586-6170)

SB3123 SD2 (SSCR 2526) RELATING TO POST-SECONDARY EDUCATION. Senator Nakata (586-7330)  
Establishes within the department of human services a post secondary education benefits program for heads of households in the temporary assistance to needy families program to be known as the bridge to hope program. Requires the single parent to be working or a student in a course of study approved by the department. Provides that the department shall provide additional support to a recipient if all available educational financial aid has been exhausted. Requires the department to ensure that its activities be consistent with the principles and goals of promoting self sufficiency, earning an educational degree, eliminating poverty, and safeguarding the health, safety, and welfare of Hawaii's poor children. Requires the department to provide yearly evaluations which utilizes graduation rates and employability as benchmarks to determine success. Report to the legislature in 2002, 2003, 2004. Appropriation. (\$\$) -- SB3123 SD2  
Mar-09 00 Introduction/Passed First Reading - House

SB3125 SD2 (SSCR 2669) RELATING TO PUBLICATION OF NOTICE. Senator Chumbley (586-6030)  
Amends provision relating to publication of notice. Requires the directors of finance for each county to determine a publication for all county government agencies to enable the public to go to 1 source of publication for county published public notice on each island. Requires each county to pay the direct cost of its county published public notice. Provides that nothing in this provision shall preclude the comptroller and the county directors of finance from entering into cooperative agreements for the publication of public notices. -- SB3125 SD2  
Mar-09 00 Introduction/Passed First Reading - House

SB3129 RELATING TO HAWAIIAN HEALING PRACTICES. Senator Kawamoto

## SENATE BILLS WHICH PASSED THIRD READING

(586-6970)

Amends Act 162, session laws of Hawaii 1998 by extending the sunset date from July 1, 2000 to July 1, 2002 for allowing traditional Hawaiian healing practices by traditional native Hawaiian healers. -- SB3129

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to HLT then CPC (586-6380)

SB3132 SD2 (SSCR 2781)

RELATING TO INFORMATION TECHNOLOGY. Senator Fukunaga (586-6890)

Establishes an information technology initiative special fund in the state treasury. Provides the fund shall be used solely for enabling state agencies to provide their service or make available information online within an accelerated period. Requires the information and communication services division, department of accounting and general services, the department of commerce and consumer affairs, office of information and telecommunication services, department of education, with the approval of the director of finance to develop procedures by which state agencies shall submit competitive proposals for funding of information technology online services, and shall administer the implementation of approval proposals. Prohibits moneys in the information technology initiative special fund to revert to the general fund. Requires the director of finance to report to the legislature including a financial statement of fund and status of projects. Provision shall be repealed June 30, 2005 (sunset).

Allows the executive departments to pursue and conduct a 2 year pilot project related to electronic delivery of government services. Report to the legislature. Requires state agencies to make budget and reports accessible online. -- SB3132 SD2

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Single Referral to FIN (586-6200)

SB3133 SD1 (SSCR 2477)

RELATING TO CRIME. Senator Bunda (586-6090)

Amends provision relating to street solicitation of prostitution. Provides that it shall be unlawful for any person within the boundaries of Waikiki or other areas in this State designated by county ordinance, and while on any public property to offer or agree to engage in sexual conduct with another person in return for a fee. Provides that upon recommendation of the chief of police of a county, that county may enact an ordinance that designates 1 or more areas, in addition to the Waikiki area, as zones of significant prostitution related activity that is detrimental to the health, safety, or welfare of the general public; or alters the boundaries of any existing designated area. Provides that any person violating this provision shall be sentenced to a mandatory term of 30 days imprisonment.

Further provides that as an option to the mandatory term of 30 days imprisonment, the court may place the defendant on probation for a period not to exceed 6 months, subject to the mandatory condition that the defendant observe geographic restrictions that prohibit the defendant from entering or remaining on public property, in Waikiki and other areas in the State designated by county ordinance. -- SB3133 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB3141

RELATING TO THE UNIVERSITY OF HAWAII. Senator D. Ige (586-6230)

Requires the board of regents of the university of Hawaii to make annual reports to the legislature including a unified budget, 6 year program and financial plan and variance report. -- Repeals the university from under the governor and places them separately with the judiciary. -- Requires the board of regents to submit a plan of proposed appropriations of the university to the legislature to accompany the budget. -- Amends the civil service law to exclude classified staff of the university of Hawaii. Amends the compensation law to provide that for the university of Hawaii the chief executive officer shall be the board of regents, the department shall be the university, and the director and fiscal



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officer shall be the president of the university. -- Provides that no more than 6 members of the board of regents shall be members of the same political party and at least part of the membership shall represent geographic subdivisions of the State. Provides that at least 1 member be a university student. -- Requires the board of regents to appoint and may remove the president of the university and set the salary of the president. Allows the board of regents to charge fees for the university laboratory school, enter into health and human services agreements, and requires the board to develop procedures for personnel management. -- Repeals the aggregate limit which the university may borrow from the state treasury. -- Amends university projects laws by repealing the requirement of approval by the governor. -- Amends Act 321, session laws of 1986, as amended by Act 283, session laws of 1987, Act 371, session laws of 1989, Act 163, session laws of 1991, Act 314, session laws of 1993, Act 8, special session of 1993, Act 180, session laws of 1997, and Act 115, session laws of 1998. -- SB3141

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to HED then LAB/ FIN/ (586-6330)

SB3160 SD2 (SSCR 2568)

RELATING TO THE SALE OF RESIDENTIAL CONDOMINIUM APARTMENTS TO OWNER-OCCUPANTS. Senator Tam (586-6450)

Amends provision relating to sales to owner occupants. Establishes definition of initial date of sale to mean the date of the 1st publication of the announcement or advertisement required. Amends definition of chronological system to include reservations in documents that prospective owner occupants deliver to the developer or designated real estate broker. -- Repeals and replaces provision relating to announcement, publication. Provides that all publications, announcements, advertisements, and sales literature shall state that for a 30 day period following the 1st date of sale of this condominium project at least 50 per cent of the units being sold shall be offered only to prospective owner occupants. -- Amends provision relating to designation of residential units. Provides that a developer shall have the right to substitute a unit designated for owner occupants with a unit that is not so designated; provided that the units are similar. -- Amends provision relating to sale of residential units to include developer requirements. Provides that the developer may go to sale using either a chronological system or a lottery system at any time after an effective date for a public report has been issued and for which the effective date has not expired. Provides criteria. -- Amends provisions relating to affidavit, inapplicability of part or sections. -- SB3160 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB3176 SD2 (SSCR 2698)

RELATING TO INSURANCE. Senator Matsunaga (586-7100)

Amends provisions relating to the Hawaii public employees health fund by requiring the board of trustees to establish a reciprocal beneficiary family coverage health benefits plan. -- Amends insurance contract, accident and sickness insurance, motor vehicle insurance, life insurance, mutual benefit societies, and health maintenance organizations (HMOs) provisions to include reciprocal beneficiary coverage. -- SB3176 SD2

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to LAB then CPC/ JHA/ then FIN (586-8450)

SB3177 SD1 (SSCR 2290)

RELATING TO JUDGES. Senator Matsunaga (586-7100)

Requires the judiciary, in cooperation with the judicial selection commission, the judicial salary commission, and the Hawaii state bar association, to conduct a study to determine the most appropriate method by which a system of higher judicial pay based on merit may be implemented. Provides that as part of the study, the judiciary shall determine a recommended timetable for implementation of merit pay, and shall develop recommendations for how judicial evaluations should be presented to individual judges and used to help

## SENATE BILLS WHICH PASSED THIRD READING

individual judges address weaknesses when necessary. Prohibits the popularity of any decision by a judge from being considered as a factor in the judge's performance evaluation. Requires the judiciary to report to legislature. -- SB3177 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to JHA then FIN (586-8480)

SB3179

RELATING TO TOBACCO. Senate President Mizuguchi (BR) (586-6870)

Establishes provisions for export and foreign cigarettes. Prohibits the sale, distribution, transport for sale, or import or cause to be imported for sale: cigarettes labeled not to be sold, distributed, or used in the US; cigarettes that do not comply with federal law regarding warnings and other information; cigarettes whose package do not comply with all federal trademark and copyright laws; and cigarettes for which there has not been submitted the list of ingredients added to the tobacco. Establishes monthly tax filing requirement for a licensed person to import cigarettes. Establishes civil and criminal penalties, confiscation and seizure, forfeiture, unfair trade practices, and deceptive cigarette sales. Requires the attorney general, the prosecuting attorneys of the counties, and the police departments to enforce these provisions. -- SB3179

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to HLT then CPC/ JHA/ then FIN (586-6380)

SB3182 SD1 (SSCR 2451)

RELATING TO HOLIDAYS. Senator Chun Oakland (586-6130)

Establishes provision relating to King Kalakaua day. Provides that November 16, of each year shall be known and designated King Kalakaua day, in recognition of the contributions and accomplishments of King Kalakaua; provided that this day is not and shall not be construed to be a state holiday. -- SB3182 SD1

Mar-07 00 Introduction/Passed First Reading - House

Mar-07 00 Single Referral to JHA (586-8480)

SB3190 SD1 (SSCR 2509)

RELATING TO CAPTIVE INSURANCE. Senator Taniguchi (586-6460)

Amends captive insurance company provisions to establish class \_\_\_\_ companies. Provides that a class \_\_\_\_ company shall be a branch captive insurance company. Defines branch captive insurance company and outside captive insurance company. Amends the provision which prohibits a captive insurance company to provide personal motor vehicle or homeowner's insurance coverage or any component thereof, to provide an exception for personal motor vehicles and property located outside of the State. -- SB3190 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB3192 SD1 (SSCR 2510)

RELATING TO CAPTIVE INSURANCE. Senator Taniguchi (586-6460)

Amends captive insurance company provisions to establish class 5 companies. Provides that a class 5 company acts only as a reinsurer or excess insurer, or both. -- SB3192 SD1

Mar-09 00 Introduction/Passed First Reading - House

SB3193 SD1 (SSCR 2687)

RELATING TO THE HAWAII INSURANCE EXCHANGE. Senator Taniguchi (586-6460)

Establishes the Hawaii insurance exchange as a captive insurance company. Provides that the exchange shall be funded by surplus contributions, premiums, interest and investment income, refunds, rate credits, and other returns, and shall consist of a subscribers committee and attorney in fact. Provides that the exchange shall provide a means of financing and managing current and future liabilities arising from contractual and or other obligations to provide health, group life, and other benefits to employees and to provide other coverages as determined by the subscribers committee. -- Repeals and replaces the public

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employees health benefits law which applies to the State, the judiciary, the counties, the department of education, the university of Hawaii, and any instrumentality of the State or counties. Establishes that the exchange shall provide health insurance, group life benefits, and long term care benefits. -- Requires the attorney general to locate and take necessary steps to secure all property including bank accounts, reserves, or other funds which may be assigned to the public employees health fund. Also requires the attorney general to review all contracts with the public employees health fund and provide the governor with recommendations on whether the contracts should be continued by the exchange or terminated. Report to the legislature. -- Requires the assets of the health fund to be identified by the attorney general with the assistance of the health fund and the department of budget and finance and transferred to the subscriber's savings accounts. Appropriations. (\$\$) -- SB3193 SD1

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Multiple Referral to CPC then LAB/ FIN/ (586-6150)

SB3194 SD2 (SSCR 2492)

RELATING TO THE RIGHT TO FARM. Senator Matsuura (586-7788)

Amends provision relating to the Hawaii right to farm Act. Repeals the established date of operation definition. Redefines farming operation to include silvicultural and apiary products and plant and animal production for nonfood uses. Adds definition of generally accepted agricultural and management practices. Provides that the board of agriculture shall give due consideration to information available from the department of agriculture and written recommendations from the university of Hawaii college of tropical agriculture and human resources, in cooperation with the US Department of Agriculture, Hawaii agriculture research center, and other professional organizations, and those practices accepted by other states and federal agencies. Provides that farming operations that have been conducted in a manner consistent with generally accepted agricultural and management practices are presumed to be reasonable and shall not be found to constitute a nuisance. Provides that if the court determines any action alleging that an agricultural operation is a nuisance is frivolous, the court may award costs of court, reasonable attorneys fees, and any other related costs, to the defendant. -- SB3194 SD2

Mar-09 00 Introduction/Passed First Reading - House

SB3195

RELATING TO GARNISHMENT. Senator Tam (586-6450)

Amends the definition of wages under the garnishment law to include rental income. -- SB3195

Mar-09 00 Introduction/Passed First Reading - House

Mar-09 00 Single Referral to JHA (586-8480)

SB3199 SD1 (SSCR 2251)

RELATING TO PLANT AND NON-DOMESTIC ANIMAL QUARANTINE.

Senator Inouye (586-7335)

Establishes plant import provision. Requires the board of agriculture to maintain a list of restricted plants that require a permit for entry into the State. Requires the department of agriculture to designate specific plants that spread or may be likely to spread an infestation or infection of an insect, pest, or disease that is detrimental or potentially harmful to agriculture, horticulture, the environment, animal health, or public health. Provides that these plants, or plant species designated by rule as noxious weeds are designated as restricted plants. Establishes animal import provision. Requires the board to maintain a list of conditionally approved, restricted, and prohibited animals to be enter into the State. Establishes an advisory committee to identify whether an animal is a prohibited hybrid animal when the department suspects that the lineage of the animals is not as stated by the owner or on other official documents. Requires animals on the lists of conditionally approved and restricted animals to be imported only by permit. Allows the department to issue a special permit on a

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case by case basis for the importation and possession of an animal that is not on the lists of prohibited, restricted, or conditionally approved animals, for the purpose of remediating medical emergencies or agricultural or ecological disasters, or conducting medical or scientific research in a manner that the animal will not be detrimental to agriculture, the environment, or humans. Establishes microorganism import provision. Requires the board of agriculture to maintain a list of nonrestricted microorganisms allowed entry into the State without a permit, a list of restricted microorganisms that requires a permit for import into the State and possession, and a list of restricted microorganisms that are select human pathogens allowed entry into the State without a permit but which require the department to notify the department of health of entry for the purpose of possible department of health inspoing. Authorizes the department of agriculture to issue emergency permit on a case by case basis to a state or federal agency or state university to allow import and possession of a microorganisms on a list of restricted microorganism or an unlisted microorganism for the purpose of remediating any emergency or disaster affecting agriculture, horticulture, the environment, animal health or public health. Provides criteria. Establishes provision relating to permit requirement. Prohibits any person to possess, propagate, sell, transfer or harbor any animal included on the list of prohibited animals maintained by the board. Provides exceptions. Requires the board of agriculture to adopt rules to establish methods to obtain public input and to notify the public as to any additions to or deletions from the lists required. Establishes the permit revolving fund to be administered by the department of agriculture. Provides that the department shall expend moneys in the permit revolving fund to facilitate the processing and issuance of permits, amendment of lists of creatures prohibited or allowed for import, compliance monitoring activities, and for training, personnel, educational workshop, materials and equipment, and any other purpose deemed necessary. Defines microbial product and unlisted microorganism. Amends the conditions of importation provision. Requires the department to designate other articles that shall require a department letter of authorization or registration in advance of importation. Amends soil, plants, animals, etc., importation or possession prohibited provision by repealing the requirement for a list of prohibited microorganisms and plants by the board of agriculture. Authorizes the department to assess fees for the registration of microbial products containing certain strains of microorganisms. Provides that any interim rule shall be published at least once statewide within 12 days of issuance. Appropriation. (\$\$) -- SB3199 SD1  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to AGR then FIN (586-6010)

SB3201 SD1 (SSCR 2266)

RELATING TO A SCENIC HIGHWAYS SYSTEM. Senator Levin (586-6760)  
Establishes a scenic byways system within the department of transportation to identify and encourage appropriate management of scenic byways. Allows the department to enter into agreements with the counties and private landowners to protect scenic highways. -- SB3201 SD1  
Mar-09 00 Introduction/Passed First Reading - House  
Mar-09 00 Multiple Referral to TRN then FIN (586-6180)